



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

The Drunk Driver and Jail Resource Materials

Volume 5

The Drunk Driver and Jail

Resource Materials

Volume 5

Prepared in cooperation with
the American Correctional Association,
College Park, Maryland



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**

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Executive Summary

Despite growing public and legislative support for jailing drunk drivers, not all agree that this sanction is appropriate for the drunk driving offense (DWI). Some people see other solutions to the traffic safety problem—better educated drivers, better roads, better cars; some believe drunk driving is primarily a health problem and should be the province of health, not correctional, agencies; and some believe that our most restrictive correctional facilities—prisons and jails—are a scarce and expensive commodity that should be used only for offenders who cannot be safely confined or safely supervised in less restrictive (and less costly) programs.

Nevertheless, in July 1984 the U.S. Congress passed a law—Public Law 98-363—that encourages the States to pass their own laws mandating specific sentences for drunk driving: 48 hours in jail or 100 hours of community service for first offenders, and 10 days in jail for the second drunk-driving offense. The 1983 Presidential Commission on Drunk Driving and the Department of Transportation also recommend mandatory sentences of 48 hours in jail or 100 hours of community service for the drunk driving offense. (The Presidential Commission recommends this sentence for the *first* DWI offense; Section 408 of the Highway Traffic Safety Act recommends it for the *second* DWI offense). Sixteen States now have legislation requiring jail or alternative sanctions for the first-offense drunk driver, and 41 States have laws requiring jail sentences (from two days to six months) or other sanctions for those found guilty of DWI a second time.

This series of publications was developed by the American Correctional Association under contract with the National Highway Traffic Safety Administration in an attempt to help commu-

nities manage the influx of drunk drivers into the correctional system in a safe, equitable, and cost-effective manner. The subject of these manuals is two-fold: (1) the specialized needs of DWI offenders, and (2) the special opportunities for maximizing the effectiveness and minimizing the costs of their correctional programs.

THE JAIL PROBLEM

Putting criminals in jail is only one of many correctional options. Moreover, increasing the size of local jails or building new ones is likely to be one of the most expensive and difficult of the options available for managing drunk drivers. The Department of Justice estimates that it costs \$43,000 per bed to build a new jail. But building costs are only the tip of the iceberg. Operating expenses and salaries account for 90% of the total cost of a typical jail. In 1983 it cost an average of \$9,500 a year to maintain an inmate in jail (although regional costs ran as high as \$17,000 per year). Add to these costs the problems already faced by many jails—overcrowding, lack of personnel, lack of needed programs and services such as suicide screening—and it is easy to understand why jailing the 1.9 million DWIs arrested each year will impose enormous new demands on correctional programs and services and the limited funds available to them.

In addition, most professionals in the criminal justice field, including the American Correctional Association, advocate for *all* offenders “the development and use of the least restrictive sanctions, punishments, programs, and facilities consistent with public safety and social order” (ACA National Correctional Policy on Use of Appropriate Sanctions and Controls, January 1984).

The spectrum of correctional options

ranges from fines and unsupervised probation, on the one end, to incarceration in secure facilities (jails and prisons) on the other. In comparison with other criminals, most drunk drivers are classified as low-risk, non-violent offenders who have no prior criminal history. For these types of offenders, correctional options other than secure incarceration can often be used to restrict their freedom of movement and monitor their activities. As these manuals point out, however, the public at large is often unaware of these options.

CHOICE OF SANCTIONS

Ideally, the choice of sanctions for drunk drivers should take into account the sanction's effectiveness for reducing alcohol-related traffic accidents and preventing repetition of the offense (recidivism) by those who have already been punished. Based on evidence to date, it would seem that a combination of sanctions is usually more effective for combatting the drunk driving problem in a way that has positive long-term effects. The following overview highlights some of the sanctions discussed in these manuals.

Little is known about the effectiveness of jail sentences as a deterrent to drunk driving. For one thing, the jail sanction rarely has been applied swiftly or consistently to drunk drivers. As a result, researchers have not been able to carry out comprehensive or long-term studies of this sanction's effectiveness for controlling the DWI offense. The most positive study available was conducted in Hennepin County, Minnesota, and released in 1984 (Falkowski). The study showed a 20% decline in the number of nighttime crashes after imposition of a mandatory two-day sentence for first-offense DWIs. The extent to which this decline was due to

changed behavior on the part of the drunk drivers or to more careful driving by the public in general is not known.

We do know that from one-third to one-half of first-offense drunk drivers and almost all of those arrested two or more times for drunk driving have a health problem—problem drinking. Short-term alcohol education programs for social drinkers and long-term (one year) treatment programs for problem drinkers have proved effective in reducing recidivism. National standards for good correctional practice recognize that offenders with drug and alcohol abuse problems require specialized treatment. In addition, experience shows that, along with driver's license actions, the treatment sanction is the one most feared and disliked by drunk drivers.

There is general agreement that drunk driving offenders should pay fines and fees to cover as much of the costs of their correctional and alcohol treatment programs as possible. Many feel that DWIs should also make restitution to the community, either directly to victims or through payments to general victim compensation funds. (Interestingly, most drunk drivers are not arrested as a result of a traffic accident and therefore have no victim.)

Interest in community service, both as an adjunct and as an alternative to incarcerating certain offenders, is rapidly increasing. Use of this non-residential sanctioning option is supported by Federal recommendations on drunk driving, and more than 20 States have established unpaid work on behalf of the community as an alternative to short-term jail sentences for drunk drivers. Properly administered, community service programs offer the benefits of reducing correctional costs and jail overcrowding while providing useful services to communities and a more

constructive penalty for non-violent offenders.

Unlike many other criminals, most convicted drunk drivers are employed. Many corrections professionals believe that the most appropriate correctional placement for low-risk, non-violent drunk drivers is in work release centers or non-residential correctional programs (for example, intensive probation supervision) because these programs provide supervision but also allow offenders to continue earning incomes and therefore help reduce the tax burden of their correctional programs.

One sanction that has proved highly effective in reducing alcohol-related traffic accidents is license suspension or revocation. Studies show that even though some drivers continue to drive after their license has been suspended or revoked, they drive fewer miles and more carefully than they did before. While license actions are and should remain the responsibility of the State's motor vehicle department, it is important that communities include this sanction in their programs to combat drunk driving and that they allocate sufficient resources to law enforcement to raise the likelihood that the driver who drives with a suspended or revoked license is detected.

ACTION STEPS FOR COMMUNITIES

The variety of correctional options available—and their theoretical and tested effectiveness—point to the need for communities to take a comprehensive approach to controlling drunk driving. The correctional system cannot do it alone. Dealing successfully with the drunk driver problem requires a community-wide commitment of concern and resources before, during, and after the imposition of correctional sanctions:

Adequate law enforcement measures to improve the likelihood of apprehending drunk drivers and those driving with suspended or revoked driver's licenses. (Without special law enforcement efforts, arrests are made for only 1 out of every 1,000 to 2,000 drunk drivers on the highways.)

Adequate procedures and resources for the courts and corrections to ensure that all sanctions are imposed swiftly and consistently.

More precise traffic safety data collection to accurately determine increases and declines in alcohol-related traffic accidents.

Adequate monies and talent to monitor and evaluate the effectiveness of any measures imposed to control drunk driving, including their effect on recidivism.

Finally, experience has shown that sustained public information campaigns to keep public consciousness about safe driving practices at a high level and to publicize new sanctioning policies is crucial to the success of any program to combat drunk driving.

SERIES OVERVIEW

Volume I of this series (*The Drunk Driver and the Jail Problem*) focuses on developing a coherent policy for drunk drivers. It reviews the drunk driving problem and the problems faced by many of the Nation's 3,000 jails and local lockups in dealing with the influx of DWI offenders. After describing various approaches to controlling drunk driving and reviewing the evidence for the effectiveness of jail sentences, the volume concludes with a list of specific considerations that should guide the development and operation of all correctional programs for DWIs.

Volume II (*Alternatives to Jail*) discusses the use of objective classification systems to identify a drunk driver's drinking status, risk to the community, and correctional program needs. It then examines what is known about five non-residential sanctions that can be used as alternatives or adjuncts to a jail sentence: community service; intensive probation supervision; alcohol education and treatment; restitution; and driver's license actions.

Volume III (*Options for Expanding Residential Facilities*) examines four ways to increase available bed space (number of beds)—conventional construction, modular construction, renovation, and contracting out correctional programs—and compares the advantages and disadvantages of each approach.

Volume IV (*Step by Step to a Comprehensive DWI Program*) describes how to go about determining a community's correctional needs (who should be involved, what information must be gathered) and discusses how to put the findings into effect (building community support, how to obtain funding).

Volume V (*Resource Materials*) contains copies of documents and forms

in use in correctional programs around the country. They are not official models but, rather, examples of "working documents" that might prove useful to communities as they develop their own procedures and forms. Included are examples of forms for classification and suicide risk screening; work release agreements and contracts; community service forms and waivers of liability; and overviews of alcohol education and treatment programs. Also included are examples of State laws on offender fees and information on jail accreditation. The volume also contains a list of the State Offices of Highway Safety and the current criteria for receiving funding under Section 402 of the Highway Safety Act.

It is important for readers to keep in mind that, while the focus of these manuals is the drunk driver, it is not intended that DWIs be placed in facilities or programs separate from other groups of offenders with similar needs and characteristics. Judges and correctional administrators need flexibility in making appropriate assignments. Many existing facilities and programs are appropriate for drunk drivers. Similarly,

facilities and programs developed principally in response to the increased arrest rates and tougher sanctions for drunk drivers can and should be used for other types of low-risk, non-violent offenders, especially those with alcohol problems.

Readers seeking additional information are encouraged to contact the following:

1. Stephen Hatos, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Telephone (202) 426-9581
2. W. Hardy Rauch, American Correctional Association, 4321 Hartwick Road, Suite L-208, College Park, MD 20740. Telephone (301) 699-7660
3. Ray Nelson, National Institute of Corrections Jail Center, 1790 30th Street, Suite 140, Boulder, CO 80302. Telephone (303) 497-6700
4. Francis R. Ford, National Sheriff's Association, 1450 Duke Street, Alexandria, VA 22314. Telephone (703) 836-7287

Glossary of Terms

ACA The American Correctional Association. A national organization of corrections professionals.

ACCIDENT Any event involving a moving vehicle on a public highway that causes injury or property damage. Some experts prefer the word "crash" because it does not imply that the event was accidental or "uncaused"—"A crash is no accident."

BAC Blood alcohol concentration. Driving with 0.10% BAC is an offense in all States. Actual driving impairment occurs at lower (0.05%) BAC levels.

COMMUNITY-BASED FACILITIES Correctional facilities operated publicly or privately (under contract) to hold persons to permit the offender limited opportunities for work, schooling, or other community contacts. Such facilities are used for a variety of purposes, including specialized intervention or assistance (for example, drug or alcohol treatment), graduated release from prison—usually prior to parole—or as a sanction in lieu of prison or jail confinement.

CRIME The commission of an act that is forbidden by public law and that makes the offender punishable by that law. Crimes are classified into two categories: misdemeanors and felonies. A misdemeanor is commonly defined as an offense that is punishable by less than one year in confinement. A felony is a "major offense" that is punishable by one or more years in confinement. Although there is general agreement on the severity of offenses (murder, for example, is always considered a "major offense" and thus a felony), each State retains the authority to decide which crimes it considers misdemeanors and which it considers felonies.

DRUNK DRIVER Any driver operating a vehicle at an illegal blood alcohol concentration. The term does not imply that the driver obviously appears to be "intoxicated." Drivers who appear quite sober can still be over the legal BAC limit.

DWI As used in this manual, DWI is a generic term for all alcohol driving offenses. The terms "driving while intoxicated," "driving while under the influence," and "operating a motor vehicle under the influence" are among those used by the States to describe the major alcohol-related driving offense—usually defined as operating a vehicle with a blood alcohol concentration of 0.10%. Some States have lesser offenses, usually described as "driving while impaired," which defined blood alcohol concentration levels as low as 0.05%.

INCARCERATION The confinement of a convicted criminal in a Federal or State prison or a local jail to serve a court-imposed sentence. In many States, offenders sentenced to less than one year are held in a jail; those sentenced to longer terms are committed to the State prison.

JAIL A secure local detention facility for holding individuals awaiting trial or sentencing. Increasingly, jails are also used as places of confinement for offenders sentenced to short terms (generally less than one year).

LOCKUP A holding facility for individuals who have been arrested and who are awaiting arraignment or transfer. Generally limited by law to holding an individual for only a few hours.

NHTSA National Highway Traffic Safety Administration. An agency of the U.S. Department of Transportation.

NIC National Institute of Corrections. An agency of the U.S. Department of Justice that provides assistance primarily to the States and local communities.

NON-VIOLENT OFFENDER An individual who has no record of violent behavior or aggression toward others; a person whose criminal record and conduct is such that he or she is not considered to be prone to violent acts. "Violent crime" refers to crime such as homicide, rape, assault, and robbery.

PONI "Planning of New Institutions." A program sponsored by the National Institute of Corrections to assist local jurisdictions planning new detention facilities.

PRISON A State or Federally operated detention facility, generally for offenders sentenced to one or more years of confinement.

Maximum security prisons are typically surrounded by a double fence or wall (usually 18-25 feet high) with corrections officers in observation towers. Such facilities usually have large interior cell blocks for inmate housing areas. About 41% of the maximum security prisons were built before 1925.

Medium security prisons typically have double fences topped with barbed wire surrounding the facility. Housing architecture is quite varied, consisting of outside cell blocks in units of 150 cells or less, dormitories, and cubicles. More than 87% of the medium security prisons were built after 1925.

Minimum security prisons typically do not have armed posts and may or may not have fences to enclose the institution. To a large degree, housing consists of open dormitories. More than 60% of the minimum security prisons were built after 1950.

Section 1

Planning Detention Facilities

The four documents in this section all relate to the detailed planning communities must undertake in developing a DWI correctional program that meets their specific needs. As described in Volume IV of this series, one method of "getting organized" is to develop a Drunk Driving Task Force within the community. The first sample document in this section provides guidelines on forming such a task force. The second document lists the addresses of the State Offices of Highway Safety, which administer formula grants to the States under the Highway Safety Act. The third document offers an example of a work statement for using consultant services in drawing up a local correctional program. The fourth is an excerpt from a brochure explaining the National Institute of Corrections' individualized program of training and technical assistance to communities planning new correctional facilities.

CREATING A CORRECTIONS TASK FORCE (Item 1-1)

This document is taken from the National Highway Traffic Safety Administration manual entitled *Who's Going to Call the First Meeting?* (NHTSA, n.d.,b). Those interested in developing a comprehensive DWI program for their

community should write to NHTSA (400 Seventh Street, SW, Washington DC 20590) for a copy of this action guide for local drunk driving programs.

STATE OFFICES OF HIGHWAY SAFETY (Item 1-2)

This document lists the addresses of the State Offices of Highway Safety and the funding criteria for Section 402 of the National Highway Safety Act. The Highway Safety Act was designed to promote a comprehensive highway safety program within each of the 50 States. Section 402 of this Act provides funds to the States for highway safety purposes, and the State Offices of Highway Safety administer the expenditure of these funds. Although few of these funds have been directed to DWI correctional programs, localities may find their State Office of Highway Safety increasingly interested in supporting such programs because of the trend toward jailing drunk drivers.

STATEMENT OF WORK FOR CORRECTIONS CONSULTANT (Item 1-3)

This work statement, prepared by the Prince George's County, Maryland, Corrections Advisory Board, illustrates the

types of tasks for which consultant services may be required. It is not always possible to obtain among the membership of a local task force all of the skills needed to develop effective program plans. Even where qualified individuals are available on a task force, they may not have the time necessary to develop a full-fledged plan. Therefore, the use of consultants is frequently required.

PLANNING OF NEW INSTITUTIONS (PONI) PROGRAM, NATIONAL INSTITUTE OF CORRECTIONS (Item 1-4)

Once initial planning has progressed far enough to determine that a new detention facility is needed, communities will wish to take advantage of this program of training and technical assistance provided by the National Institute of Corrections. This excerpt from NIC's brochure explaining its "Planning of New Institutions" program gives an overview of the three-phased program and describes in full the Phase One Community Meeting. Also included is a sample application for the Phase One Community Meeting.

ITEM 1-1
CREATING A TASK FORCE
(Who's Going to Call the First Meeting,
National Highway Traffic Safety Administration)

Guidelines for Creating a Task Force

Task Force Mission

- When you create a task force, consider exactly what you hope to accomplish. A series of preliminary discussions will rally support and enable you to work out jointly the mission or charge of the task force.
- make the written mission statement as clear and as specific as possible, and demonstrate your commitment to considering task force recommendations.

Task Force Membership

- Task force members should include key public officials and a cross-section from the community. Members might include:
 - yourself or your representative
 - local, county, and state police
 - prosecutors
 - judges
 - probation officers
 - alcohol safety action program director (if you have one)
 - defense counsel, local bar association members
 - health agencies
 - treatment providers
 - citizen activist groups (Mothers Against Drunk Driving (MADD), Remove Intoxicated Drivers (RID), etc.)
 - concerned citizens
 - students (Students Against Drunk Driving (SADD))
 - victims and survivors
 - media representatives
 - school officials, especially high school health and driver education teachers
 - church groups
 - civic clubs
 - private industry -- automotive, insurance, liquor or beer distributors, bar or restaurant owners, banking, advertising, public relations
 - Alcoholics Anonymous (AA), National Council on Alcoholism
 - elected officials
 - officials from other local jurisdictions
 - state agencies (police, driver licensing, legislature)

Task Force Chairman

- The task force chairman should have:
 - skills in group dynamics
 - knowledge of and credibility with police, driver licensing, courts, etc.
 - an objective view

Exhibit 6 -- (Cont'd)

- political savvy and knowledge of how "things get done" in your community

Staff Support

- You will need to provide staff support to the committee. Staff functions will include gathering information, coordinating the work of the task force, and preparing task force reports.
- Staff functions might be shared among several departments, in order to minimize disruptions, as done in Fairfax County, Virginia.

Task Force Time Period

- Establish a realistic time period. Six months to one year has been the life of most local task forces. A shorter period will give the mission a sense of urgency; but you must allow for about a two-month period in which task force members learn about all aspects of the drunk driver problem and process. Each agency or group will need to describe its role or share its views. That provides everyone with the same basic information and a consensus from which to start.

Meeting Schedule

- Establish a regular meeting schedule that is not burdensome. The group may meet one evening each week for one or two months and then meet every other week.

Task Force Work

- Ask the task force to identify the principal problem areas and establish subcommittees to address each area. These might include:
 - enforcement;
 - prosecution and adjudication;
 - rehabilitation;
 - public education;
 - data and reporting; and
 - legislation.
- Form a steering committee which will include your representative, the subcommittee chairs, and selected other task force members. The steering committee will guide the work of the task force and the subcommittees, and the preparation of the final report.

Publicity

- Publicize the "kick-off" meeting of the task force. Issue a press release, hold a press conference, and do whatever else (special events, timing) that will give importance to the task force and interest the media in becoming involved on a continuing basis.

ITEM 1-2
STATE OFFICES OF HIGHWAY SAFETY

ALABAMA

State of Alabama Highway Department
State Capitol, Room 101
Montgomery, AL 36130
(205) 284-8706

ALASKA

Pouch N
Juneau, AK 99801
(907) 465-4300

ARIZONA

Office of Highway Safety
1801 W. Jefferson - Room 465
Phoenix, AZ 85007
(602) 255-3216

ARKANSAS

Arkansas Highway Safety Program
#1 Capitol Mall
Level 4B, Suite 215
Little Rock, AR 72201
(501) 371-1101

CALIFORNIA

Office of Traffic Safety
Business & Transportation Agency
State of California
7000 Franklin Blvd., Suite 330
Sacramento, CA 95823
(916) 445-0527

COLORADO

Division of Highway Safety
4201 East Arkansas Avenue
Denver, CO 80222
(303) 757-9381

CONNECTICUT

Department of Transportation
Bureau of Highways
24 Wolcott Hill Road
Wethersfield, CT 06109
(203) 566-4248

DELAWARE

Department of Highway Safety
Thomas Collins Bldg. - Suite 363
540 S. DuPont Highway
Dover, DE 19901
(302) 736-4475

DISTRICT OF COLUMBIA

D.C. Department of Transportation
District Bldg. - Room 511
1350 "E" Street, NW
Washington, DC 20004
(202) 727-5847

FLORIDA

Division of Public Safety Planning
and Assistance
Florida Dept. of Veteran and
Community Affairs
2571 Executive Center Circle, East
Tallahassee, FL 32301
(904) 488-5455

GEORGIA

Office of Highway Safety
p.O. Box 1497
959 Confederate Ave., SE
Atlanta, GA 30301
(404) 656-6996

HAWAII

Department of Transportation
869 Punchbowl Street
Honolulu, HI 96813
(808) 548-4655

IDAHO

Department of Transportation
Box 7129
Boise, ID 83707
(208) 334-3887

ILLINOIS

Division of Transportation Safety
319 Administration Bldg.
2300 South Dirksen Parkway
Springfield, IL 62764
(217) 782-4972

INDIANA

State Capitol - Room 210
Indianapolis, IN 46204
(317) 232-4578

IOWA

Office for Planning & Programming
Capitol Hill Annex
523 East 12th Street
Des Moines, IA 50319
(515) 281-6483

KANSAS

Kansas Department of Transportation
State Office Building
Topeka, KS 66612
(913) 296-3461

KENTUCKY

Bureau of State Police
Department of Justice
State Police Headquarters
919 Versailles Road
Frankfort, KY 40601
(502) 695-6300

LOUISIANA

Louisiana Highway Safety Commission
P.O. Box 66336, Capital Station
Baton Rouge, LA 70896
(504) 925-6991

MAINE

Department of Public Safety
36 Hospital Street
Augusta, ME 04330
(207) 289-2581

MARYLAND

Secretary of Transportation
P.O. Box 8755
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Baltimore, MD 21240
(301) 859-7397

MASSACHUSETTS

Governor's Highway Safety Bureau
Saltonstall Office Bldg.
100 Cambridge St. - Room 2104
Boston, MA 02202
(617) 727-5074

MICHIGAN

Office of Highway Safety Planning
111 South Capitol Avenue, Lower Level
Lansing, MI 48913
(517) 373-8011

MINNESOTA

Department of Public Safety
Transportation Building
St. Paul, MN 55155
(612) 296-6642

MISSISSIPPI

Governor's Highway Safety program
510 George Street - Suite 246
Jackson, MS 39201
(601) 354-6892

MISSOURI

Department of Public Safety
P.O. Box 749
Jefferson City, MO 65101
(314) 751-4905

MONTANA

Highway Traffic Safety Division
Department of Justice
303 North Roberts
Helena, MT 59620
(406) 449-3412

NEBRASKA

Department of Motor Vehicles
State Office Building
State House Station 94789
Lincoln, NE 68509
(402) 471-2281

NEVADA

Traffic Safety Division
Department of Motor Vehicles
555 Wright Way - Room 258
Carson City, NV 89711
(702) 885-5375

NEW HAMPSHIRE

New Hampshire Highway Safety Agency
Pine Inn Plaza
117 Manchester Street
Concord, NH 03301
(603) 271-2131

NEW JERSEY

Division of Motor Vehicles
State of New Jersey
25 South Montgomery Street
Trenton, NJ 08666
(609) 292-4570

NEW MEXICO

Secretary of Transportation Dept.
P.E.R.A. Building - Room 220
P.O. Box 1028
Santa Fe, NM 87503
(505) 827-2045

NEW YORK

New York Dept. of Motor Vehicles
Empire State Plaza - Swan St. Bldg.
Albany, NY 12228
(518) 474-3135

NORTH CAROLINA

Governor's Highway Safety Program
215 East Lane Street
Raleigh, NC 27601
(919) 733-3083

NORTH DAKOTA

North Dakota Highway Dept.
600 East Boulevard Avenue
Bismarck, ND 58505
(702) 224-2581

OHIO

Director of Highway Safety
P.O. Box 7167
Columbus, OH 43205
(614) 466-2550

OKLAHOMA

Oklahoma Dept. of Transportation
Bldg.
200 NW 21st Street - D4
Oklahoma City, OK 73105
(405) 521-3314

OREGON

Oregon Traffic Safety Commission
325 - 13th St., NE - Suite 306
Salem, OR 97310
(503) 378-3670

PENNSYLVANIA

Secretary for Safety Adminis.
Commonwealth of Pennsylvania
1200 Transportation & Safety Bldg.
Harrisburg, PA 17120
(717) 787-3928

PUERTO RICO

Secretary of Transportation
and Public Works
Box 8218
Santurce, Puerto Rico 00910
(809) 726-7170

RHODE ISLAND

Dept. of Transportation
State Office Bldg. - Smith Street
Providence, RI 02903
(401) 277-2481

SOUTH CAROLINA

Division of Public Safety Programs
Edgar A. Brown State Office Bldg.
1205 Pendleton St. - Room 453
Columbia, SC 29201
(803) 758-2237

SOUTH DAKOTA

Division of Highway Safety
Department of Public Safety
500 East Capitol Avenue
Pierre, SD 57501
(605) 773-3177

TENNESSEE

Department of Transportation
James K. Polk State Office Bldg.
505 Deaderick St. - Suite 700
Nashville, TN 37219
(615) 741-2848

TEXAS

State Dept. of Highways and
Public Transportation
11th and Brazos
Austin, TX 78701
(512) 475-3525

UTAH

Department of Public Safety
4501 South 2700 West
Salt Lake City, UT 84119
(801) 965-4461

VERMONT

Secretary of Transportation
133 State Street
Montpelier, VT 05602
(802) 828-2657

VIRGINIA

Dept. of Transportation Safety
P.O. Box 27412
Richmond, VA 23269
(804) 257-6602

WASHINGTON

Washington Traffic Safety Commission
1000 Cherry Street
Olympia, WA 98504
(206) 753-6197

WEST VIRGINIA

Governor's Office of Economic and
Community Development
5790-A MacCorkle Avenue

(304) 348-8814

WISCONSIN

Wisconsin Office of Highway Safety
Hills Farms State Office Bldg.
4802 Sheboygan Ave. - Room 120B
Madison, WI 53707
(608) 266-1113

WYOMING

Wyoming Highway Safety Dept.
Highway Safety Branch
P.O. Box 1708
Cheyenne, WY 82002
(307) 777-7296

VIRGIN ISLANDS

Virgin Island Office of
Highway Safety
P.O. Box 1847
Fredricksted, St. Croix
VI 00840
(809) 772-3025

AMERICAN SAMOA

Executive Office Building
Government of American Samoa
Pago Pago, American Samoa 96799

GUAM

Department of Public Works
Government of Guam
Agana, Guam 96910
646-5831, Ext. 11
(through International Operator)

INDIAN TRIBES

Commissioner of Indian Affairs
Bureau of Indian Affairs
Dept. of the Interior
19th and C Streets, NW
Washington, DC 20242

NORTHERN MARIANA ISLANDS

Office of Highway Safety
Department of Public Safety
Commonwealth of the Northern
Mariana Islands
Saipan
Northern Mariana Islands 96950
6333/6431
(through International Operator)



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

ORDER

462-13A

Date of Issuance

May 23, 1983

Subject: PRINCIPLES FOR DETERMINING COSTS APPLICABLE TO
GRANTS AND CONTRACTS WITH STATE AND LOCAL GOVERNMENTS

- | | |
|-------------------------------|---------------------|
| 1. Purpose | 4. Applicability |
| 2. Effect on Other Directives | 5. Background |
| 3. References | 6. Responsibilities |

1. PURPOSE. This Order implements Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, dated January 15, 1981, and Department of Transportation (DOT) Order 4600.11A, Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments, dated September 9, 1982. The cost principles and standards are designed to provide that federally assisted programs bear their fair share of costs recognized under these principles, except where restricted or prohibited by law.
2. EFFECT ON OTHER DIRECTIVES. This Order supersedes National Highway Traffic Safety Administration Order 462-13, Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments, dated November 22, 1982.
3. REFERENCES.
 - a. OMB Circular A-87, January 15, 1981, "Cost Principles for State and Local Governments."
 - b. NHTSA 402 Funding Criteria published in the Federal Register September 16, 1982.
 - c. NHTSA Section 402 Funding Criteria, Limitations and Conditions issued May 14, 1981.
4. APPLICABILITY. This Order and the provisions of OMB Circular A-87 apply to all grants and cooperative agreements awarded to State and local governments by the National Highway Traffic Safety Administration (NHTSA) under Chapter 4, Title 23, United States Code and to State and local governments that are sub-grantees and subcontractors under such grants and cooperative agreements. The provisions of Section 1-15.7 of the Federal Procurement Regulation (FPR) shall apply to all direct Federal contracts awarded to State and local governments.

Existing funding criteria are contained in the Section 402 criteria issued on May 14, 1981. Revised criteria are contained in the NHTSA 402 funding criteria published in the Federal Register September 16, 1982. Attachment A contains the revised 402 funding criteria, with the addition of Section 408 references. Similarly, Attachment B contains the existing criteria with Section 408

Vertical lines denote change.

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NHTSA Regional Offices
Governors' Representatives thru Regional Offices

OPI NAD-60

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references added. The States may use the existing criteria for Fiscal Year 1983; or, at their option, they may use the revised criteria, except for the provisions relating to Planning and Administration costs which do not become effective until October 1, 1983. The revised funding criteria must be used for Fiscal Year 1984.

5. BACKGROUND.


- a. OMB Circular A-87 establishes a set of principles for measuring in a consistent manner the cost of programs administered by State and local governments under Federal grants and cooperative agreements. The principles give recognition to the important relationship between efficient administration and program success, and establish guidance calling for federally assisted programs to bear their fair share of costs of this administration.
- b. The Circular requires State and local governments to substantiate their costs through formal allocation plans, and it provides for the audit and negotiation of those plans. In the Federal Register of October 6, 1980, OMB issued an updated list of Federal agencies responsible for approval/negotiation of cost allocation plans and other cost proposals of State and local governments. DOT has cognizant responsibility for auditing indirect cost rates and cost allocation plans for all State highway agencies, and for other State transportation-related agencies, such as departments of aeronautics, departments of motor vehicles and departments of public safety.
- c. This revision incorporates the procedure for assigning one operating administration cognizant administrative responsibility for approving/negotiating a recipient's indirect cost rate(s) where DOT is the responsible Federal agency. It also incorporates the audit requirements contained in Attachment P to OMB Circular A-102, Uniform Requirements for Assistance to State and Local Governments.

6. RESPONSIBILITIES. The Office of Financial Management, NHTSA, is responsible for approving/negotiating the recipient's indirect cost rate proposal, except where the recipient is an organizational unit of a State Department of Transportation or other State highway agency. The recipient for this purpose is defined as the State highway safety agency, the grantee of the funds. Requests for approving/negotiating indirect cost rate proposals from other State agencies and local political subdivisions, the subgrantees of the funds, will be returned to the grantee for action. Grantee indirect cost rate proposals should be submitted directly to the following address:

National Highway Traffic Safety Administration
Office of Financial Management (NAD-60)
Nassif Building, Room 6134
400 7th Street, S.W.
Washington, D.C. 20590

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After review and, if necessary, audit, the Office of Financial Management will prepare negotiation agreements for submission to the recipient for signature. Upon return of the signed documents, the Office of Financial Management will send copies of each negotiation agreement to the Office of Installation and Logistics, OST, for distribution within DOT and other Federal departments.



Dana L. Scott
Associate Administrator
for Administration

Attachments

NHTSA 402 and 408 FUNDING CRITERIA

(These criteria, except for Paragraph II F, are optional for Fiscal Year 1983. They are mandatory for Fiscal Year 1984 and beyond.)

I. General Requirements

- A. These funding criteria supplement the provisions of OMB Circulars A-87 and A-102 (NHTSA Order 460-4).
- B. All 402 and 408 cost items must be an integral part of an approved highway safety program and be justified accordingly.
- C. The Buy American Act applies to the 402 and 408 programs. (Pursuant to Section 165 of the Surface Transportation Assistance Act of 1982, the agency soon will conduct a rulemaking to adopt a new Buy American regulation.)
- D. Section 408 funds may only be used for the implementation and enforcement of alcohol traffic safety programs.

II. Limitations and Conditions

The provisions in this Part are not intended to deny the States flexibility in supporting potential accident and injury reduction activities. Accordingly, on a case-by-case basis (except where legislatively prohibited), costs can be approved for 402 and 408 funding which are otherwise indicated as not allowable. Approval of such funding, however, must meet all the provisions of Part I, above.

A. Facilities

- 1. The cost of land is not allowable.
- 2. The cost of construction or reconstruction of driving ranges, towers, and skid pads is not allowable.
- 3. Costs are not allowable for construction, rehabilitation, remodeling, or for office furnishings and fixtures—for State, local, or private buildings or structures.

B. Equipment

- 1. Costs for major equipment purchases and purchases of replacement equipment are only allowable through specific prior approval of the NHTSA Regional Administrator.
- 2. Where major multi-purpose equipment is to be purchased, costs shall be factored, based on utilization for highway safety purposes, except as follows:

Vertical lines denote change.

Federal participation in the cost of ambulances shall not exceed twenty-five (25) percent, unless the State submits documentation supporting a higher percentage of highway safety utilization.

3. For helicopter cost approval, the unit must be used as a multi-mission vehicle, capable and equipped for, and limited in intended use to EMS missions and for police traffic safety functions related to law enforcement, with an absolute priority accorded to EMS duty needs for accident site victim removal.
 4. Costs for the following equipment items are allowable, subject to compliance with applicable standards and specifications established or adopted by the State through legislation or by the actions of an appropriate State agency or commission:
 - a. Police traffic radar and other speed measuring devices used by the police;
 - b. alcohol testing devices;
 - c. ambulances. (Minimum requirements for ambulances purchased with 402 funds include: (1) being equipped in accordance with the essential equipment list recommended by the American College of Surgeons; (2) containing space for two litter patients and 60 inch headroom for EMTs; (3) being manned by two basic level EMTs; and (4) having exterior vehicle lighting sufficient for identification as an ambulance.)
 5. Costs for large scale computers are not allowable.
 6. Costs for Child Restraint devices are allowable if they are in compliance with NHTSA performance standard FMVSS #213 for these devices.
- C. Travel. Except as separately approved by NHTSA, cost for international travel is not allowable.
- D. Training
1. The cost of training is allowable using DOT/NHTSA developed, equivalent, or endorsed curriculum.
 2. Development costs of new training curriculum and materials are allowable if they will not duplicate materials already developed for similar purposes by DOT/NHTSA or by other States. This does not preclude modifications of present materials necessary to meet particular State and local instructional needs.

3. Costs are not allowable to pay for the employee's salary while pursuing training, nor to pay the salary of the employee's replacement, except where the employee's salary is supported with 402 or 408 funds under an approved project.

E. Public Communications. Cost to purchase program advertising space in the mass communication media is not allowable. This includes the purchase of television and radio time, and billboard space.

F. Management.

1. The Federal share of Planning and Administration (P&A) costs shall not exceed 50 percent (or the applicable sliding scale) of the total P&A costs. The State's matching share shall be determined on the basis of the total P&A costs. The Federal contribution for P&A activities shall not exceed 10 percent of the total funds the State received in 23 U.S.C. 402 funds. (Note: The provisions of this paragraph are not effective until October 1, 1983.)
2. Planning and Administration (P&A) costs are those direct and indirect costs that are attributable to the overall management of the State's Highway Safety Plan. Costs include the salary of the Governor's Representative for Highway Safety, or the salary of the Chief Administrator of the SHSA, and the salaries of his/her administrative and clerical support; the salary of the financial officer and his/her supporting fiscal services; and rent and utility costs.

NHTSA 402 and 408 Funding Criteria
Limitations and Conditions

(The criteria in this attachment may be used in FY 1983 but will terminate after FY 1983.)

Part I establishes general limitations and conditions for the use of 402 and 408 funds, applicable to all program areas; and Part II establishes limitations and conditions applicable to specific program areas. These Parts (I and II) only address unallowable costs and allowable costs with stated conditions, supplementing the provisions of OMB Circular No. A-87 and NHTSA Order 460-4 (A-102).

In applying the provisions of the above, the following sequence should be used for determining allowability:

1. Determine if the cost item falls within an NHTSA approved program area(s), then
2. Determine whether there are prohibitions or conditions under Parts I and II, then
3. Assure that it is allowable under A-87 and in conformance with 460-4 (A-102).

These provisions (Parts I and II) apply to NHTSA 402 and 408 funds placed under obligation after September 30, 1981, including reprogrammed FY 1981 and prior year funds. (See the HSP procedures relating to Planning and Administration (P&A).) They are not applicable, however, to Section 154 funds (55 NMSL), to Section 406 funds (School Bus Driver Training), nor to the Safety Belt funds. For Section 154 and 406 and Safety Belt funds, funding policy is unchanged.

PART I

- I. General Funding Limitations and Conditions - OMB Circular A-87 and NHTSA Order 460-4 (A-102) should be referred to for details.

ALL ALLOWABLE COSTS (OR ALLOWABLE WITH STATED CONDITIONS) MUST BE DIRECTLY ASSOCIATED WITH OR BE IN SUPPORT OF A NHTSA APPROVED PROGRAM(S). SECTION 408 FUNDS MAY ONLY BE USED FOR THE IMPLEMENTATION AND ENFORCEMENT OF ALCOHOL TRAFFIC SAFETY PROGRAMS.

- A. Management - Cost of program/project management is allowable, provided it is directly associated with or in support of a NHTSA approved program(s). This includes the cost of overall program and project development, monitoring and review, and evaluation.

For those projects where 402 and 408 funds are used for impact evaluation, an evaluation plan must be forwarded to the NHTSA Regional Administrator within three months after the execution of the project agreement.

- B. Personnel - Costs must be factored, based on actual time devoted to approved highway safety programs. In accordance with Circular A-87, salaries and wages chargeable to more than one grant program or other

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cost objective, must be supported by appropriate time distribution records.

- C. Administration and Travel - Costs of general office expenses, supplies, travel, association dues, and membership in professional organizations are allowable. However, costs must clearly be associated with a NHTSA approved program(s), and should only be considered after other impact type activities have been funded. Additionally the following conditions apply:

1. Cost for staff travel by the Office of the Governor of a State, the Chief executive of a political subdivision, and State legislators or similar local governmental bodies such as county supervisors, city councils, school boards, etc., must receive the prior approval of the NHTSA Regional Administrator. Such travel must not be for the purpose of legislation.
2. Cost for international travel is not allowable.

D. Equipment/Facilities

1. The cost of land is not allowable.
2. The cost of construction or reconstruction of driving ranges, towers, and skid pads is not allowable. However, costs for rental or leasing of such facilities and minor temporary modifications to conduct training of emergency vehicle operators are allowable.
3. Costs are not allowable for construction, rehabilitation, remodeling or for office furnishings and fixtures -- for State, local, or private buildings or structures. The following are examples of those (or similar) items considered as office furnishings and fixtures, and therefore their costs are not allowable:

Desks	Coat Racks
Chairs	Portable partitions
Tables	Pictures, wall clocks
Credenzas	Fixed lighting/lamps
Bookcases	Draperies and hardware
Filing cabinets	Floor coverings
Storage Cabinets/Racks	Office planters
Shelving	Other decorative items

4. Costs for computers (central processors) and storage devices such as disk drives and tape drives are not allowable.

Cost of mini-computers is allowable, through prior approval of the NHTSA Regional Administrator. Such action must be coordinated with the appropriate office in TSP. Approval must be given on an individual basis, dependent on component utilization in the specified system, i.e., as a peripheral device for the system main-frame, or as a stand alone central processor. Costs associated with data input, data analysis, data communications, and data output, i.e., micro-computers, terminals, readers, printers, data conversion equipment, coupling devices, etc., are

allowable. However, costs for all of the above equipment are subject to the following:

- a. Funding is normally limited to lease/rental agreements. However; for outright purchase, Federal funding toward the purchase price cannot exceed the cost of a 3-year lease/rental agreement.
- b. Costs must be factored, based on the utilization for approved highway safety purposes. Accurate records must be maintained on this actual usage.

5. Replacement Provisions:

- a. Replacement costs are not allowable, except under the following conditions:
 - (1) If, during the operational period of a project, equipment is no longer usable due to normal wear, costs for replacement are allowable subject to the approval of the NHTSA Regional Administrator. Approval will be based on the importance of the equipment to the continuing achievement of project objectives.
 - (2) If, during the operational period of a project, the use of new improved equipment would cause significant improvements in efficiency or effectiveness, costs are allowable. Such costs are subject to the approval of the NHTSA Regional Administrator.
- b. It is the responsibility of the grant recipient to provide for replacement of property throughout its useful life due to loss, theft, accident, or circumstances other than normal wear.

6. Costs for necessary maintenance, repair or upkeep of property which neither add to the permanent value of the property, nor appreciably prolong its intended life, but keep it in efficient operating condition, are allowable.
7. The Buy American Act applies to the 402 and 408 programs. (Pursuant to Section 165 of the Surface Transportation Assistance Act of 1982, the agency soon will conduct a rulemaking to adopt a new Buy American regulation.)

E. Training

1. The cost of training (short-term) is allowable using NHTSA developed or equivalent curriculum. Short-term training involves a period not exceeding 30 calendar days.

Vertical line denotes change.

2. Long-term training is allowable subject to the following conditions:
 - a. As separately approved by the NHTSA Regional Administrator.
 - b. Endorsed by NHTSA.
 - c. Maximum of 9 months.
 - d. For training of a 6 to 9 month duration, the applicant and the applicant's agency must sign an agreement that the applicant will remain in highway safety related work for at least a year after the training is completed; or the applicant and/or the applicant's agency will reimburse NHTSA the total Federal costs related to the training if this condition is not met.
3. For approved training, cost is not allowable to pay for the employee's salary while pursuing the training, nor to pay the salary of the employee's replacement, except where the employee is involved in a 402 or 408 funded project and the training is necessary for the efficient accomplishment of project objectives.
4. Other training costs, such as travel, supplies, tuition, etc., are allowable to the extent they are reasonable, consistent with such costs paid with State and local funds, and meet the requirements of Circular A-87.
5. The development cost of training materials is allowable only under the following conditions:
 - a. As separately approved by the NHTSA Regional Administrator.
 - b. Where it can be shown that such development is a unique requirement in order to support a specific approved operational program.
 - c. Where course and curriculum development will not duplicate materials already developed for similar purposes by NHTSA or by other States.
 - d. Where it is necessary to adapt available curricula and training materials to meet particular State and local instructional needs.
6. Such new training materials must be reviewed and approved by the NHTSA Regional Administrator, following coordination with the appropriate office in TSP, before 402 or 408 costs can be approved for the training.
- G. Public Information and Education (PI&E) - cost to purchase program advertising space in the mass communication media is not allowable. This includes purchase of television and radio time, and billboard space.

Vertical lines denote change.

PART II

II. Specific Funding Limitations and Criteria

ALL ALLOWABLE COSTS (OR ALLOWABLE WITH STATED CONDITIONS) MUST BE DIRECTLY ASSOCIATED WITH OR BE IN SUPPORT OF A NHTSA APPROVED PROGRAM(S).

- A. Alcohol - Cost of breathtesting devices (evidential and portable) is allowable, provided the device appears on the NHTSA Qualified Products List for this equipment.
- B. Emergency Medical Services - Training is the only allowable cost for 402 funding. However, such costs are allowable subject to the following:
 - 1. Emergency Medical Technician - Ambulance (EMT-A)
 - a. Student must be a member of a unit which provides EMS service or have a firm employment commitment.
 - b. DOT course must be used, or an alternate course approved by NHTSA.
 - c. Student must be at least 18 years of age and high school graduate or equivalent.
 - d. Service must meet applicable DOT guidelines for equipment and operations.
 - 2. Emergency Medical Technician - Ambulance, Advanced (EMT-AA) and Emergency Medical Technician - Paramedic (EMT-P)
 - a. Student must have served a minimum of one year as an EMT or EMT-A, have completed the DOT/EMT-A Course or NHTSA approved equivalent and be enrolled in the DOT Paramedic Training Course or equivalent approved by NHTSA.
 - b. Student must be associated with an EMS service providing advance life support or one where advance life support will be established at the conclusion of the training course.
 - c. There is an existing State or local law, regulation or ordinance authorizing the EMT to function in the field at the advanced or paramedic level of training.
 - d. Service must meet applicable DOT criteria for equipment and operations.
 - 3. First Responder Training
 - a. The First Responder is not and should not be used as an ambulance service technician.

- b. The prescribed DOT course or NHTSA approved equivalent must be used.

4. Extrication Training

- a. The student must have had at least the first responder level of training before being given this course.
- b. The prescribed DOT course or NHTSA approved equivalent must be used.

5. Dispatcher Training - allowable for personnel engaged in emergency medical service field dispatching, with the training in accordance with DOT prescribed curricula or NHTSA approved equivalents.

6. Emergency Vehicle Operator Training - allowable for EMTs in accordance with the DOT prescribed curriculum or NHTSA approved equivalent.

7. Specialized EMS training such as radioactive, hazardous chemicals, or climatic exposure, etc. - allowable for first responders or EMTs, and specialized EMS training needs in these areas have been identified.

8. National Emergency Aid Radio (NEAR) program monitor training - allowable for personnel identified by the State as Citizens Band (CB) radio monitors pursuant to implementation of the NEAR program and its training curricula.

C. Police Traffic Services

1. Personnel

- a. Cost of salaries for new or expanded police traffic units through assignments of additional personnel is allowable if total department uniformed patrol strength is increased by the number of additional personnel assigned to traffic full-time.
- b. All costs associated with the use of part-time and auxiliary police officers are not allowable.
- c. Cost of overtime is allowable only under the following conditions:
 - (1) All other competing priority projects have been considered which utilize new or expanded police traffic units, and
 - (2) Permanent increases in total department uniformed patrol strength is not possible under existing State or local statutes.

2. Equipment/Facilities

- a. Police Officer Equipment-- Uniforms, weapons, handguns, shotguns, mace, batons, riot helmets, bullet proof vests, or ammunition are not allowable.
- b. Portable Scales--cost is not allowable, including cost associated with transportation and use of portable scales.
- c. Police traffic radar--cost is allowable subject to the following:
 - (1) The devices must appear on the NHTSA Qualified Products List (QPL) (when published in the Federal Register).
 - (2) Operators must be trained using the NHTSA radar operators training program or a TSP approved equivalent.
 - (3) The police agency must implement a comprehensive radar operator and equipment certification program with periodic recertification (every 1-3 years).
- d. Speed measuring devices--except for enforcement purposes and related project evaluation, cost is not allowable.
- e. Purchase or rental costs of police autos, vans, trucks, ground rescue vehicles, etc., fixed-wing aircraft and helicopters are not allowable.
- f. Cost of fixed Base, Mobile (including mobile radio extender equipment), and Walkie-Talkie Radios is not allowable.

3. Training--cost for training helicopter pilots, fixed-wing aircraft pilots, and observers is not allowable.

- D. Motorcycle Safety - cost for commercial lease or purchase of motorcycles is not allowable. Safety helmets, gloves, and jackets are not allowable.
- E. Safety Belts and Child Restraints - cost of safety belts and airbags/automatic restraints is not allowable. However, cost of child restraint devices is allowable.

ITEM 1-3
STATEMENT OF WORK FOR CORRECTIONS CONSULTANT
(Prince George's County, Maryland, Corrections Advisory Board)

SCOPE OF SERVICES

**ANALYSIS OF THE COMPREHENSIVE DWI PROGRAM
FOR PRINCE GEORGE'S COUNTY**

PURPOSE

The major reasons for conducting this study at this point in the correctional planning process are five-fold. These five reasons are identified as follows:

- (1) To determine the magnitude of need for DWI treatment.
- (2) To analyze the impact of the new DWI legislation at the federal and state level on county operations and capital needs.
- (3) To define programmatic, spatial, and personnel requirements to expand the DWI Program.
- (4) To develop a program which is a part of the comprehensive correctional master plan for Prince George's County, and
- (5) To identify the implementation steps necessary to achieve a realistic and workable DWI Program in the County.

WORK PROGRAM

To ensure that quantitative data is developed whereby rational and logical decisions can be made concerning the role of the DWI Program in the County's comprehensive master plan for corrections, a seven task Scope of Services has been developed. Each of these tasks is briefly described in the following paragraphs.

Task 1.0: Develop Statistical Basis for DWI Program

The major thrust of this task will be to develop the analytical data necessary to rationally evaluate the most appropriate DWI Program for the County. To achieve this, the consultant will analyze past DWI arrests over a three to five year time period. This information will be drawn from law enforcement, correctional, and judicial data banks.

Supplementing the analysis of existing data banks, the consultant will interview County Health Department officials to define the number of offenders in the DWI category. If the County is to achieve the results anticipated from the State funded program, a classification of offenders in the DWI category must be developed. To the extent possible, the Consultant will classify DWI offenders according to (1) social; (2) problem, and (3) alcoholic types. National data will be researched and, to the extent appropriate, will be applied to Prince George's County's DWI population group. From this analysis a universe of offenders will be developed and then disaggregated by one of the three types of alcohol abusers.

The consultant will develop a methodology which samples the length of stay of DWI offenders, the percent who were released on bail at the time of arrest, and those

who were detained due to lack of funds or other criteria preventing their release on their personal recognizance. This analysis will aid the County in understanding how many bed spaces must be provided for DWI offenders both in a pre-trial and sentenced status.

To the extent possible, the Consultant will define the number of DWI offenders who have had repeated arrests. This will enable the County to understand the level of current effectiveness of the DWI program sponsored by the County Health Department. This analysis will also assist in the determination of the total number of bed spaces that will be required if all DWI offenders were housed separately from the general sentence population of the Prince George's County Jail.

Task 2.0: Define Alternatives for DWI Offenders

Through information available from law enforcement, the judiciary, corrections, the County Health Department, and organizations such as Alcoholics Anonymous (AA), the Consultant will attempt to "model" the process from DWI arrest to and through adjudication. To achieve this, the consultant will interview officials from law enforcement, the District Court Commissioners office, the District Court, County Health Department, Corrections Department, and alcoholics assistance programs such as AA.

In the analysis of the process for DWI offenders, the Consultant will also investigate existing alcohol treatment alternatives. These alternatives will involve treatment as well as incarceration options with the intended thrust being the identification of the most appropriate methods for rehabilitating while punishing the DWI offender.

The analysis of treatment and/or incarceration alternatives will involve the definition of criteria to be used to screen DWI offenders for participation in an alternative DWI program. Those criteria, as well as a range of alternatives, will be reviewed with law enforcement, judicial, treatment, correctional, and other local officials.

Following these interviews, supplemented by data from each of these sources, the consultant will present a quantitative and qualitative description of the DWI process and alternatives in Prince George's County.

Task 3.0: Develop Projections of Future Program Participants

Using information available through the Department of Corrections, Law Enforcement agencies, the District Court Commissioners office, and the County Health Department, the consultant will develop three population scenarios for future DWI offenders. The number of DWI offenders anticipated in the County over the next ten years will be compared to the number of other substance abuse offenders who might be sentenced to the County facilities during the same time period.

Task 4.0: Define Spatial Needs for the DWI Program

Based upon the interview with various officials involved with the DWI program in

the County, the projections of future offenders in this category, and the Consultant's past experience with DWI programs, an architectural program will be developed to meet the DWI needs of the County to the year 1995.

In defining the space required, the consultant will also consider alternative incarceration methods and the security needs and procedures. The architectural program will address full and part-time incarceration alternatives and the opportunity for sharing services and spaces with other institutions. The architectural program will determine the space required such that various alternatives for capital expenditures at the new correctional center can be identified.

As a part of this analysis, the Consultant will review the feasibility of (1) renovating existing structures; (2) using premanufactured housing units; and/or (3) conventionally constructing a new facility for DWI offenders.

Task 5.0: Evaluate Site Locations

The Consultant will develop criteria for evaluating various sites which will be identified jointly with County officials. A method of ranking the sites using various criteria will be presented.

Working closely with County officials, various candidate sites for either a renovated or newly constructed DWI minimum security facility will be determined. The Consultant will complete an evaluation of each existing site using criteria previously agreed upon with County officials and present the results of the site evaluation.

Based upon review of this information with appropriate County officials, a recommended site will be offered.

Task 6.0: Analyze Costs and Funding Sources

Based upon the architectural program to be developed in Task 4.0, the relationship of the DWI minimum security facility to the proposed new correctional facility and the existing jail, and alternative treatment approaches, the Consultant will define the personnel required to operate a DWI minimum security facility. As a part of this analysis, the Consultant will determine the impact which the DWI minimum security facility will have upon the staffing of the proposed new County correctional facility and the existing jail.

In addition to defining the capital and operating impact that an alternative DWI program will have upon the new and existing jail, the Consultant will investigate the source of funds to recover operational costs. Data will be developed concerning the cost of implementing the DWI program and appropriate source(s) of operational funds. A focus of the funding analysis will be the potential impact that the use of funds for the DWI program will have upon the loss of general operating funds for other purposes.

A product of this task will be a determination of operational costs for various types of DWI incarceration and treatment programs.

Task 7.0: Develop Alternatives Evaluation Procedure

As a final product, the Consultant will develop an assessment of the advantages and disadvantages of various alternative incarceration approaches for DWI offenders. Both a quantitative and a qualitative assessment procedure will be employed.

The consultant will also identify the evaluation criteria for considering various options including:

- Criteria for program participation
- Spatial requirements based upon alternative incarceration methods
- Locational criteria
- Operational and capital costs
- Support services

As a final step, the Consultant will define the impact that the DWI program will have upon the implementation of the new jail. Particular emphasis will be given to the possible reduction in square footage, capital costs, equipment, and personnel which might be associated with implementing the DWI program facility.

SCHEDULE AND COSTS

It is anticipated that to develop the type of information which will be suitable for the County to make rational decisions will require from six to eight weeks of consulting time. During this time, there will be various meetings on-site with County officials to ensure that the data is being developed in a proper manner for decision making.

It is estimated that the development of a comprehensive DWI program for the County will require the expenditure of approximately \$15,000. It is recommended that this amount be drawn from the existing contract which Carter-Goble Associates has with Prince George's County.

ITEM 1-4
PLANNING OF NEW INSTITUTIONS PROGRAM
(National Institute of Corrections)

THE PLANNING OF NEW INSTITUTIONS PROGRAM: AN OVERVIEW

The National Institute of Corrections Jail Center has developed a three-phase project to assist counties in planning for new jails. The phases are designed to provide basic training and technical assistance elements to jurisdictions that are planning for a change in their criminal justice systems.

PHASE ONE

... is a Community Meeting, a one or two day event, in which the stakeholders in the local criminal justice system and the community meet to discuss issues, problems and alternative solutions and to develop action plans to deal with these problems. During the Phase One Community Meeting, two a team of two NIC staff and/or consultants will visit your community to provide a program focusing on the issues of facility planning within a total systems planning framework.

PHASE ONE IS A PREREQUISITE FOR SUBSEQUENT ACTIVITIES.

If you are interested in this site visit, please submit a letter requesting this specific service. The Sheriff and/or a County Commissioner should sign the letter. Please complete the Application for the Community Meeting form included in this information packet, and return it with the request letter.

PHASE TWO

... is a Seminar, a week-long training event in which teams representing jurisdictions that have completed a Phase One are brought to Boulder to participate in a skill development workshop which will enable them to plan more systematically for the development of a new corrections facility in their home community.

If you are interested in this seminar and have completed Phase One, submit the Application for the Planning of New Institutions Phase Two Seminar which is included in this information packet.

PHASE THREE

... is technical assistance in many areas, such as staffing analysis, transition training, plan review, and others. It may include additional on-site assistance or the provision of documents or other resources to the jurisdiction that will assist them with planning, design or transition.

Each of the events consist of activities which are carefully planned to accomplish a series of identified goals and objectives; a training format is identified for each. The following sections discuss the activities of the interventions associated with the PONI.

The National Institute of Corrections project monitor at the Jail Center is:

National Institute of Corrections
Jail Center
1790 30th Street -- Suite #140
Boulder, Colorado 80301
(303)-497-6700

PHASE ONE COMMUNITY MEETING

The National Institute of Corrections (NIC) considers Phase One to be an integral part of the planning process. NIC will fund the presentation of critical issues by a team of consultants to assist communities in developing the support necessary to provide a successful planning program. Phase One occurs in your community.

GOALS:

The goals of the Phase One Community Meeting are:

- o to create an awareness of the scope of the jail building project, including the steps necessary to generate sufficient data for proper analysis of issues, and emphasize the importance of developing functional programs prior to the design phase;
- o to share the experiences of other recently built facilities and their processes for management of the planning, design and construction activities;
- o to encourage the exploration of alternatives to incarceration and their feasibility, rather than the construction of a larger jail;
- o to surface the values and philosophies of incarceration in the community and relate these to facility planning and programming; and
- o to encourage the participation of the entire criminal justice system and community representatives in the planning process.

The primary message of the Phase One Community Meeting is that communities must make a commitment to plan for change in the criminal justice system.

TRAINING FORMAT:

The training format of the Phase One has been developed with two purposes in mind: to present information to the jurisdiction and to provide the opportunity for the county to begin work on specific items associated with the early stages of planning. The topics thus fall into two general categories: participative lecturettes and group activities. Participants are encouraged to participate actively in the discussion.

GENERAL INFORMATION:

Once the NIC project monitor has reviewed your application, you will be contacted directly by a PONI staff person to schedule the Phase One Community Meeting. At that time, PONI staff will be happy to answer any additional questions you may have regarding the content or logistics for the Phase One Community Meeting.

NIC recognizes that communities may become interested in the PONI Program for different reasons and that, as a result, they may have somewhat different needs for the Community Meeting. Communities will necessarily be in different stages of the planning process. In order to respond to those situations, the Phase One Community Meeting may be modified to better meet your needs. One option available to certain counties would be to provide a One Day Community Meeting; this modification of the Phase One Meeting would use a strict lecturette format.

Once scheduled, you will need to refer to this sheet to prepare for the session. In order to provide the best service to your community and to insure full participation in the two-day session, we need your help in the areas which are listed below. We can not over-emphasize how critical good preparation for the meeting and good participation from the key people in your criminal justice system and community is to the success of this phase of the PONI program.

1. Letters of invitation should be sent as soon as possible. These letters may be most effective if signed jointly by the Sheriff, Chairpersons of the County Board and the Jail Task Force (if one exists).
2. Two personal telephone calls should be made to encourage participation -- one a week before the session and one the day before. This strategy has been most successful in a number of communities.
3. The Phase One Meeting should be held away from the Jail or Courthouse if at all possible. Other counties have arranged for free meeting space in church halls, Chamber of Commerce offices, restaurants, etc.
4. Coffee and doughnuts are nice for breaks, but they are NOT required. Unfortunately, NIC is not able to cover such expenditures.
5. It is helpful to have someone register participants. The consultants who provide the Phase One will have a form which you can use for registration.
6. Please submit a list of invited participants to NIC. This helps our consultants know who their potential audience is.
7. Please help us facilitate the training by providing the equipment and materials listed below at the training site. If you have problems in this area, please contact one of the PONI staff members.
 - A. writing materials for the participants (small notepads and pencils will be fine);
 - B. one package of 3" x 5" index cards;
 - C. several broad-tipped markers in blue, black or red;
 - D. one flip chart (lecturer's pad), approximately 28" x 33", with easel (Example: Aquabee - No. 6016 or Chartpak E1P or E1H);

E. an overhead projector.

ATTENDANCE RECOMMENDATIONS:

Planning for a new county jail is a very complex undertaking. In order for this planning to be successful, the major stakeholders need to be involved in the process beginning with the Community Meeting. Based on prior experience with this project, the following list of key persons who MUST ATTEND and who MUST BE INVITED has been developed. The list does not include all the key persons whom you may wish to invite because of the key role they play in your community or criminal justice system.

It is recommended that letters of invitation be sent by BOTH the sheriff and the County Commissioners. If persons on the MUST ATTEND list cannot do so on the originally scheduled dates, we recommend rescheduling the meeting to allow for their participation. This may be critical to getting your planning project off to a good start.

WHO MUST ATTEND:

- | | |
|---|--|
| o County Sheriff | o Judiciary, at least one representative of the criminal bench |
| o Undersheriff/Chief Deputy | o Architect/Facility Planner |
| o Jail Administrator | o Law Enforcement representatives, i.e., local Police Chiefs |
| o County Manager/Administrator | o Court Services, i.e., Probation |
| o County Commissioners, especially persons with oversight responsibility for the Sheriff's and Jail's budget. | o Citizen's Groups, i.e., League of Women Voters, AAUW, Taxpayer's Union, Chamber of Commerce, Bar Association, etc. |
| o County Attorney | |
| o District Attorney | |
| o Public Defender | |

WHO MUST BE INVITED:

- | | |
|---|---|
| o Legal rights or prisoner legal aid group representative(s) | o Local clergy, Council of Churches, representative(s), etc. |
| o Community-based resource persons from mental health, education, library, medical services, etc. | o City Council or Mayor's Office representative |
| o County or facility planner | o Counsel for plaintiff if jail is currently under suit |
| o Regional Planning Unit representative | o Jail Standards and Inspection Unit staff |
| o Jail Planning/Advisory Committee (if one exists) | o U.S. Marshal (if the county has a contract to hold federal prisoners) |
| o State Planning Agency representative | |
| o News media | |

SCHEDULE OF ON-SITE ACTIVITIES -- TWO DAY COMMUNITY MEETING:

PRELIMINARY ACTIVITIES

NIC staff/consultants meet informally with the Sheriff, Jail Administrator, and pertinent others to :

- * review the existing facility
- * review the schedule of services
- * review the community and related concerns

DAY ONE

9:00 AM to Noon

- * Introductions
- * What is the National Institute of Corrections?
- * Planning of New Institutions: Origin of the Program
- * The Constitutional Jail/Legal Issues

1:30 to 4:30 PM

- * What is a Jail for?
- * Why Bother with Data?
- * Problem Identification
- * Structural Limitations

DAY TWO

9:00 AM to Noon

- * Review of Day One
- * Total Systems Planning
- * Architect/Consultant Relationships & Selection/Use of Consultants
- * Community Involvement
- * Fiscal Considerations

1:30 to 4:30 PM

- * Action Planning: Where do we go from here?

Participants are asked to attend the entire session. For this reason, we have allowed one and a half hours for lunch, phone calls, miscellaneous business. If this is not sufficient, PONI staff should be notified at least three weeks in advance in order to make necessary adjustments.

SCHEDULE OF ON-SITE ACTIVITIES -- ONE DAY COMMUNITY MEETING:

PRELIMINARY ACTIVITIES

NIC staff/consultants meet informally with the Sheriff, Jail Administrator, and pertinent others to :

- * review the existing facility
- * review the schedule of services
- * review the community and related concerns

DAY ONE

9:00 AM to Noon

- * Introductions
- * What is the National Institute of Corrections?
- * Planning of New Institutions: Origin of the Program
- * The Constitutional Jail/Legal Issues

1:30 to 4:30 PM

- * What is a Jail for?
- * Why Bother with Data?
- * Total Systems Planning
- * Structural Limitations

Participants are asked to attend the entire session. For this reason, we have allowed one and a half hours for lunch, phone calls, miscellaneous business. If this is not sufficient, PONI staff should be notified at least three weeks in advance in order to make necessary adjustments.

DAY TWO

A second day of technical assistance is available if communities select the one day Community Meeting. The types of technical assistance will vary with the specific needs of the jurisdiction and the skills and abilities of the consultants. Following the Community Meeting, the consultants would typically be available to work with representatives from the Jail, local government or the criminal justice system on several tasks associated with early planning. These may include:

- * Problem Identification
- * Action Planning

Consultants would also be available to work on specific problems of interest to the jurisdiction identified at that time.

PLANNING OF NEW INSTITUTIONS

APPLICATION FOR THE PHASE ONE COMMUNITY MEETING

In order to prepare the NIC staff/consultants to visit your community, this form should be completed and submitted with the letter from the Sheriff and/or County Commissioners requesting the Phase One site visit.

COMPLETE THE FOLLOWING BASED ON YOUR JAIL'S MOST RECENT INFORMATION

Agency Name _____ Telephone _____

Mailing Address _____ For NIC Use:
FTS: _____

_____ City _____ County _____ State _____ Zip _____

Who is the project director for the county who will oversee the project?

Name _____ Title _____

Mailing Address _____

_____ City _____ State _____ Zip _____ Telephone _____

Who should be contacted to schedule the Phase One Community Meeting?

Name _____ Title _____

Mailing Address _____

_____ City _____ State _____ Zip _____ Telephone _____

____ Number of staff at the jail

____ Average number of juvenile males

____ Inmate capacity of jail

____ Average number of juvenile females

____ Average daily number of inmates

____ Average number of pretrial

____ Average number of adult male inmates

____ Average number of sentenced inmates

____ Average number of adult female inmates

____ County population as of _____

____ Square miles in the county

Please attach a statement if you anticipate major changes in your county's growth rate.

PROJECT ORGANIZATION STATUS:

Are funds available for planning and design?..... Yes ____ No ____

Are funds available for construction? Yes ____ No ____

Has a site been selected? Yes ____ No ____

Has the County Commission approved the site?..... Yes ____ No ____

Has a corrections planner or consultant been retained?..... Yes ____ No ____

Name _____ Telephone _____

Mailing Address _____

City

State

Zip

Has an architect been retained?..... Yes ____ No ____

Name _____ Telephone _____

Mailing Address _____

City

State

Zip

STATUS OF PLANNING ACTIVITIES:

PLANNING	Work not started	<u>DATE COMPLETED</u>
_____	_____ Corrections Master Plan	_____
_____	_____ Feasibility Study Report	_____
PROGRAMMING	_____ Functional (Service) Program	_____
_____	_____ Architectural (Space) Program	_____
_____	_____ Site Analysis	_____
DESIGN	_____ Schematic	_____
_____	_____ Design Development	_____
_____	_____ Construction Documents	_____

PROJECT TIMETABLE:

	DATE
<input type="checkbox"/> No Schedule Developed	
<input type="checkbox"/> Hiring of Planner	_____
<input type="checkbox"/> Hiring of Architect	_____
<input type="checkbox"/> Construction	_____
<input type="checkbox"/> Construction Documents	_____

What prompted the county to consider planning for a new institution?

- ☐ The county is under litigation about jail conditions.
- ☐ The county anticipates litigation about jail conditions in the near future.
- ☐ The county is under court order.
- ☐ The present jail can not comply with state standards .
- ☐ The present physical plant is old and needs replacement.
- ☐ The present facility is crowded.
- ☐ Other: (Please describe) _____
- _____

Is there a deadline for the construction project?..... ☐ Yes ☐ No

Deadline _____

How and why was the deadline determined? _____

Who endorses the county jail planning project?

	Name	Telephone #
<input type="checkbox"/> Sheriff	_____	_____
<input type="checkbox"/> Jail Administrator	_____	_____
<input type="checkbox"/> Commissioner	_____	_____
<input type="checkbox"/> Commissioner	_____	_____

(continued)

(continued)

	Name	Telephone #
____ Commissioner	_____	_____
____ Commissioner	_____	_____
____ Judge	_____	_____
____ Judge	_____	_____
____ Mayor	_____	_____
____ County Executive	_____	_____

Please list other pertinent supporters:

Title	Name	Telephone #
____	_____	_____
____	_____	_____
____	_____	_____
____	_____	_____

Is there any formal opposition to the project? Yes ____ No

Is there an Advisory Board for this particular project? Yes ____ No

If yes, please attach a list of members' names, titles, and addresses.

Have studies, surveys, or reports been done to study the jail problem? ____ Yes ____ No

If available, please include copies of the studies with the application. If not available, please list the titles of these studies and describe them briefly on a separate sheet.

Briefly describe the scope of the project -- is it a new jail, a new facility for the entire Sheriff's Department, a criminal justice complex, a joint city/county building, a regional or joint use facility? Is that not known at this time? _____

What other correctional facilities are in the county? Include agency name, address, telephone number, and purpose? _____

DATE COMPLETED:

FORM COMPLETED BY:

Section 2

Contracting for a Community Work Release Center

An important method of obtaining additional jail space for drunk-driving offenders as well as other misdemeanants is to contract with private firms to provide confinement for offenders who can be assigned to nonsecure facilities. An interesting example of such a program (not specifically designed for DWIs) is one funded by the Bureau of Prisons through a competitive contract to the City of Hope, a private non-profit agency located in the District of Columbia (Bureau of Prisons, 1983).

This section contains two documents used in that procurement. The first relates to requesting proposals from private firms, and the second to monitoring a contract for correctional services. Because they are for Federal facilities, the request for proposal and the

monitoring system are relatively elaborate and may be beyond the needs of an individual community. However, they do provide models for local communities in developing their own contracting procedures.

STATEMENT OF WORK FOR A CONTRACT FACILITY (Item 2-1)

This relatively lengthy statement of work was prepared by the Bureau of Prisons (1982) as a basis for soliciting bids for private companies to establish a community correctional center. If this were to be used as a model, communities would obviously need to substitute their own laws and regulations for many of the specific references in this contractual document. In addition, it is

unlikely that most communities would prepare such a lengthy document. However, it is included as an example because of its completeness. Those who wish to make use of this document can select from the elements presented those believed to be essential for their own localities.

CONTRACT MONITORING (Item 2-2)

This is the document used by the Bureau of Prisons (1980) to monitor the contract let for the establishment of a residential facility in Washington, D.C. It provides a potential model for community officials who are responsible for monitoring contracted detention facilities.

ITEM 2-1
STATEMENT OF WORK FOR CONTRACT FACILITY
(Bureau of Prisons)

STATEMENT OF WORK
CONTRACT COMMUNITY CORRECTIONAL CENTER
DECEMBER 1982

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CONTRACT COMMUNITY CORRECTIONAL CENTER

I. INTRODUCTION

i. BACKGROUND

- * The U.S. Department of Justice, Federal Prison System, provides funds - under contracts to State and local governments and to private organizations - for the care of Federal offenders in Community Correctional Centers. Under the provisions of Title 18, U.S. Code, Sections 4002, 4082, 5013 and 5040, these centers are responsible for ensuring control and accountability of residents and providing or making arrangements for custody, subsistence, medical care, education, and training opportunities to those persons in the centers.
- * Community Correctional Centers Provide:
 - A. Flexibility in programs which can be geared to the specific needs of each individual in residence.
 - B. Expertise and capability in assisting the offender to find employment, a place to live, to develop resources on his own and to develop self-confidence.
 - C. Integration and transition of residents into productive community living.
 - D. A highly structured environment where accountability of one's time is paramount. In contrast to a Community Treatment Center which encourages family/friend contact in the community, the philosophy of the Community Correctional Center involves accountability with close controls. All time in the community is structured. *

ii. OBJECTIVE

The primary objective of this contract is to provide community-based correctional services for direct court commitments. These services shall include programs designed to assist offenders in becoming law-abiding, self-sufficient, contributing members of the community, as specifically set forth in this Statement of Work.

iii. EXPLANATION OF TERMS

- * A. Community Correctional Center (CCC): The facility in which the Contractor's programs are operated also referred to as facility, center, or CCC. *
- B. Contractor: The entity which provides the services described in this Statement of Work.
- C. Community Programs Manager (CPM): An employee of the Federal Prison System responsible for developing contract resources and monitoring contract compliance.

D. U.S. Probation Officer (USPO): An officer of the Federal Court System who is responsible for supervising Federal offenders placed on probation by the Federal courts. These officers also supervise mandatory releasees and those released on parole by the U.S. Parole Commission.

E. Types of Commitments:

1. Direct Court Commitments. These offenders are sentenced and sent directly from court to the CCC to serve all of the confinement portion of their sentence.
2. Transfers from Federal Correctional Institutions. These offenders are serving the confinement portion of their sentence in the Federal institution and are finishing the last portion of this sentence in the Community Correctional Center.
3. Persons Under Supervision (Public Law Cases). These offenders are not serving a sentence of confinement but rather are receiving supervision by a U.S. Probation Officer.
 - a. Probationers (18 U.S. Code 3651). A statute which allows a Federal judge to order that a convicted Federal offender be placed on probation with the condition that he reside in or participate in the program of a residential community treatment center, provided that the U.S. Attorney General certifies that adequate treatment facilities, personnel and programs are available.
 - b. Parolees and Mandatory Releasees (18 U.S. Code 4209). This statute provides that the U.S. Parole Commission may, as a condition of release, require a Federal parolee or mandatory releasee to reside in or participate in the program of a residential community treatment center for all or part of the remainder of his original sentence.
 - c. Offenders sentenced under Sections 3651 and 4209 are under the direct supervision of the U.S. Probation Officer. The Federal Prison System assumes payment for board and room for these residents in contract facilities.
4. Pre-Trial Services (18 U.S. Code 3146). A Federal statute providing for the release of defendants, prior to trial, except for those charged with certain serious offenses. Included is the option for the court to designate a contract community residential center for the programming and housing of these cases. The U.S. Probation Officer retains supervisory authority, and payment for such housing and programming is assumed by the Administrative Office of the U.S. Courts.

iv. SCOPE OF WORK

The Contractor shall furnish the necessary facilities, equipment and personnel to provide for the safekeeping, care and assistance of persons residing in centers as required below. This contract requires the Contractors to operate a system of records as identified elsewhere in the Statement of Work.

CONTRACT COMMUNITY CORRECTIONAL CENTER
STATEMENT OF WORK

II. REQUIREMENTS

Chapter I. ADMINISTRATION

- A. It is the Contractors responsibility to maintain documentation proving that provisions in this Statement of Work are being met.
- B. The Contractor shall have an up-to-date written manual which shall be available to, and reviewed by, staff and which describes the purpose, philosophy, programs, services and policy of the facility for all elements of work contained herein. The Contractor must operate according to this manual.
- C. The Contractor shall attend and participate in meetings sponsored by Bureau of Prisons staff and other Contractors for the purpose of technical overview of performance under contract, including programs performed under contract, problems encountered and recommendations for contract performance improvement.
- D. No resident shall have the authority to supervise other residents.
- E. The use of physical force shall be resorted to only in instances of justifiable self-defense, prevention of loss or damage to property, or the prevention of self-inflicted harm, and only to the degree necessary. Safety of residents and staff will be given highest priority in such policy.
- F. The Contractor shall conduct searches of the facility, and personal belongings of the resident as needed but at a minimum of once a month. The resident may be pat searched or strip searched by a staff member of the same sex for good cause. A record of searches must be maintained by the Contractor. *
- G. The Contractor shall ensure that when co-correctional facilities are provided under this contract, sleeping areas shall be appropriately separated by sex. Also appropriate procedures shall be established for use of toilet facilities if separate facilities are not available.

Chapter 2. PERSONNEL

- A. The Contractor shall have adequately trained and physically able, paid staff on the premises to provide awake twenty-four hour coverage, seven days a week. The number of staff will depend on physical plant and population. Volunteers may be used at the discretion of the Government.
- B. The Contractor shall maintain written job descriptions which accurately describe current duties for all positions performing services under this contract. The job descriptions shall be given to each employee.
- C. The Contractor shall identify and establish minimum employment qualifications for all staff performing services under this contract.
- D. The staffing pattern of the facility shall concentrate counseling staff when most residents are available at the facility.
- E. Standards of Employee Conduct. Standards shall include, but are not limited to, the following:
 - (1) Contractor staff shall not display favoritism or preferential treatment of one resident, or group of residents, over another.
 - (2) No Contractor employee may deal with any resident except in a relationship that will support the approved goals of the center program. Specifically, staff members must never accept for themselves or any member of their family, any personal (tangible or non-tangible) gift, favor or service, from a resident or from any resident's family or close associate, no matter how trivial the gift or service may seem. All staff are required to report to the center director any violation or attempted violation of these restrictions. In addition, no staff shall give any gifts, favors or services to residents, their families or close associates.
 - (3) No Contractor employee shall enter into any business relationship with Federal residents or their families (e.g., selling, buying or trading personal property).
 - (4) No Contractor employee shall have any outside contact (other than incidental contact) with a resident, his family or close associates, except for those activities which are an approved, integral part of the center program and a part of the employee's job description.
 - (5) Contractor employees are forbidden to engage in any conduct which is criminal in nature or which would bring discredit upon the Contractor.

- (6) Any violation or attempted violation of the restrictions referred to in this section on Employee Conduct will be closely scrutinized. Any failure to report a violation or take appropriate disciplinary action against the offending party or parties may subject the Contractor to appropriate action, up to and including termination of the contract.
- (7) The Contractor shall notify his employees of the Standards of Employee Conduct and document this notification.

Chapter 3. FACILITY

- A. The Contractor shall conform to all applicable zoning ordinances, laws and codes; and local building, sanitation, health, and fire codes.
- B. The Contractor shall have documentation confirming adherence to local laws, ordinances, and codes, where applicable; or shall document non-applicability.
- C. The facility shall be located in an area where the distance to the general area of work is less than one and a half hours each way from center to place of employment/education. The facility shall also be located within one mile of public transportation, or the Contractor shall provide other means of transportation to and from resident's place of employment/education.
- D. Sleeping quarters shall be well-lighted and ventilated.
 - (1) Each resident shall be supplied with bed, mattress and space for storage of personal articles. (See Chapter 4, Section F)
 - (2) Upon arrival, each resident shall be supplied with at least one complete set of appropriate bed linen and towels. The Contractor shall ensure that these items are exchanged or washed at least weekly.
- E. The Contractor shall provide and designate space to meet program requirements.
- F. The Contractor shall provide toilets, wash basins and bathing facilities within the facility.
- * G. The facility shall provide a designated recreational area, assorted table games and a television set. *
- * H. The facility shall have staff continuously monitor entrance and exit doors. *

Chapter 4. SAFETY AND SANITATION

- A. The Contractor shall have written emergency and evacuation plans, including diagrammed plans for evacuation, covering such emergencies as fire, natural disaster or severe weather. The plans shall be communicated to each new resident upon arrival. The plans also shall be posted in conspicuous locations in the facility. Evacuation drills will be conducted and documented at least quarterly when a representative number of residents are available. All agency personnel are to be trained in the implementation of the emergency plans. These plans shall be reviewed at least annually, and updated if needed.
- B. The Contractor is required to meet fire safety requirements as defined by a representative of the Federal Prison System or their consultant in addition to local fire codes.
- C. The Contractor's facility shall have:
 - (1) At least two means of exit from every floor level.
 - (2) Smoke detectors on every floor, located so as to provide complete, prompt coverage.
 - (3) Illuminated exit signs and egress route with electric power and battery-powered stand-by emergency lighting.
 - (4) Portable fire extinguishers, appropriately classed and rated and located throughout the facility (i.e., rule of thumb is 2A rated, Class A extinguisher per 6,000 square feet for light hazard occupancy with a maximum travel distance of 75 feet to an extinguisher).
- D. Hazardous materials such as paint, adhesives, thinners, etc., shall be stored in metal containers away from sleeping areas, stairwells, exits, kitchens, furnaces, etc.
- E. The Contractor shall arrange for fire inspections and testing of equipment by a fire equipment representative at least semi-annually.
- F. Mattresses and pillows acquired after the inception of the contract may not contain polyurethane or polystyrene.
- G. The Contractor shall ensure that the facility and surrounding outside areas are kept in a clean and sanitary condition at all times. Hallways, stairs, and exits shall be kept clear at all times.

Chapter 5. PROGRAMS

A. Resources

- (1) The Contractor shall develop and utilize a network of community resources and services, including referrals to other Federal, state and community agencies in an attempt to fulfill each resident's specific needs and goals.
- (2) The Contractor's programs shall include individual counseling relative to the search for gainful employment, job training, academic and vocational opportunities, adjustment on the job, money management skills, re-establishment of family ties, center behavior, substance abuse, and community adjustment. The Contractor shall provide opportunities for resident participation in recreational, religious and other programs.
- (3) As indicated by the individual's need(s), the Contractor shall provide or arrange for employment assistance, maintenance of employment, savings program, group counseling, carefully planned community living arrangements which will meet the needs of the individual and his/her family after release, access to and use of supportive community resources which can be utilized after release, and placement in educational and/or training programs.
- (4) When the Contractor uses citizen volunteers in the programs, they shall be screened as to their background suitability for such work and shall receive orientation, training and supervision from the Contractor. The CPM will approve the procedure used to select and train volunteers.

B. Intake

- * The primary source of referral will be direct commitments from Court; there may be U.S. Probation Officer referrals (probationer, mandatory releasee * or parolee); and Pre-Trial Agency referrals. All sources must go through the Community Programs Manager, and the Contractor shall consider Federal referrals only from the Community Programs Manager.
- (1) Contract centers shall specify their criteria for accepting/rejecting the referral. Should the referral be unacceptable, notification shall be made in writing to the CPM citing the specific reasons for the denial.
 - (2) Contractor and/or the CPM shall establish the reporting date on which the individual is to report to the center. Notification shall be in writing to the CPM, with a copy to the referring institution if the potential resident is in a Federal institution.

- (3) The Contractor shall have explicit, typed center rules and regulations which shall be sent directly to an accepted resident prior to his transfer from a Federal institution. The Contractor shall give the center rules to the offender committed directly, at the time of intake, and the latter shall sign a form indicating receipt.
- (4) As soon as the individual arrives from Court, the Contractor shall notify the CPM and appropriate USPO. The Contractor shall sign and return the Transfer Order (Return of Service) to the CPM. For residents transferred from institutions under the supervision of the U.S. Probation Officer, notification shall be sent to the CPM, USPO, and appropriate regional office of the U.S. Parole Commission.
- (5) Judgment and Commitment: The Contractor must execute the Judgment and Commitment for inmates committed directly from court to serve a sentence, when the inmate voluntarily surrenders. Staff must sign the original and return it to the U.S. Marshal of the sentencing district; plus sign and send a copy to the CPM, with the date the original was forwarded to the USMS.
- (6) Failure to Arrive - See Escapes (Chapter 9, p. 1) in this Scope of Work.
- (7) The Contractor shall photograph each offender admitted to the center and retain the photograph in the resident file.
- (8) Fingerprints: Fingerprints are required for identification purposes. Instructions vary according to type of commitment, as follows:
 - (a) Transfers from Federal Institutions: Upon arrival, have right thumb print taken, entering the print on BP-Record-73 if available from the institution and send to the CPM.
 - * (b) Direct Court Commitments and Persons Under Supervision: Must have a full set of prints taken and kept at center. Generally, the prints will be taken by the U.S. Marshal Service. Compare Direct * Court Commitment prints with one on U.S. Marshals Form 73, if available.
 - (c) Contractor staff must accompany residents when prints are taken. Contractor staff shall contact the CPM to assist in arranging for fingerprints.
- (9) The Contractor shall gather the following information on each resident at intake: name, home address; date of birth; race; sex; whom to notify in case of emergency; special medication problems or needs; personal physician, if any; and legal status including jurisdiction, length and conditions of commitment. This information shall be placed in the front of the resident's file to facilitate easy access by staff.

- (10) If the Contractor requires that all residents pay appropriate and reasonable costs incident to confinement, and the Contractor is authorized by the Government to collect subsistence, agreement forms shall be forwarded to the prospective resident prior to his transfer.

The offender must sign the agreement prior to the transfer from the institution, or if he is committed directly to the facility, the Contractor shall obtain the resident's signature on the form during intake. Any waivers for individual residents in such a program must be documented and justified.

- (11) Demonstration of confidentiality of case records is essential. Applicable state and Federal procedures and guidelines must be adhered to. In order to release information to employers, etc., a release must be obtained from the resident. A standard release form is shown below. If the offender is transferred from a Federal institution, a release form should already be in the file, signed by the inmate. If a form is not on file, one shall be obtained by center staff.

Contractors may use their own form as long as it meets the basic requirements.

CONSENT TO RELEASE OF INFORMATION

I, _____, Register Number _____, hereby authorize employees of the Department of Justice and employees of any facility contracting with the Department of Justice to release any or all of the contents of information in my Inmate Central File to educational facilities, social agencies, prospective employers, etc., for the purpose of assisting in all phases of community programming and release planning. I also authorize the above persons to advise prospective employers that I am currently in the custody of the U.S. Attorney General serving sentence / under supervision of U.S. Parole Commission or U.S. Probation Office /. This consent will remain in effect until my release from supervision or until revoked in writing by me.

Witness' Signature

Resident's Signature

Date

Date

C. Individual Program Planning and Progress

- (1) During the first week the Contractor shall design an individual program plan with/and for each resident which includes performance of expected behavior and accomplishments, and a time schedule for achievement. The program plan shall be signed by staff and resident, with a copy forwarded to USPO. *

- (2) Resident progress shall be reviewed weekly by the Contractor, either through staff meetings or by individual staff. The outcome of each review will be documented in the resident's file and signed by staff and resident.

D. Employment

- (1) The Contractor shall develop meaningful resident employment opportunities by staff contact with prospective employers, liaison with community placement services and development of related supportive resources. Meaningful employment means the matching of jobs to resident needs, aptitudes, desires and capabilities.
- (2) Contractor staff shall prepare the resident for job hunting. This shall include counseling on how to conduct themselves in an interview, exploration and assessments of the individual resident's skills, and interests and economic needs that will influence the type of employment that will be suitable.
- (3) Contractor staff shall assist each resident in job placement to the extent needed. This may include helping him search for a job, going with him to the interview, etc.
- (4) The Contractor shall approve each resident's employment and will ensure that all employers are aware of the resident's legal status.
- (5) The Contractor shall contact each resident's employer a minimum of once per week the first 30 days of employment, and thereafter no less than once a month depending on need. The Contractor will discuss the resident's job performance. A staff member shall visit the resident at his job site at least once. These contacts will be documented and placed in the inmate's file. The Contractor shall require the resident to obtain permission from the staff of the facility prior to making any changes in employment.
- (6) Certain major sanctions will initially have impact on the resident's ability to perform his work, but restriction from work, in and of itself, may not be used as a punishment.

E. Residence Development. The Contractor shall provide assistance to residents in obtaining housing/residence suitable for release purposes. Residence suitability is to be verified by the Contractor through an on-site visit and the address is to be submitted to the USPO for approval as a release residence. (See Chapter 8, p. 1.)

F. Drugs/Alcohol

- (1) The Contractor staff shall contact the U.S. Probation Officer, or designee, at least two weeks prior to the resident's arrival from an institution, to set up a program planning conference concerning drug counseling for sentenced residents with a condition of drug aftercare upon release. That conference shall be held within a week of the inmate's arrival and the client will be a part of the conference.

At that time, plans will be made for counseling services. All of the residents with a condition of drug aftercare will receive drug aftercare services from the U.S. Probation Service once they are released from the center. Therefore, if at all possible, the resident should receive counseling from the same agency and individual while the resident is in the center as will be provided upon release under supervision. An exception will be when specialized drug counseling services are a part of the CCC program.

- (2) If the Contractor has specialized counseling as an integral part of his/her program at least thirty minutes counseling shall be provided weekly to sentenced residents who have alcohol or drug aftercare as a condition of their release.
- (3) Counseling shall be provided by a professional counselor, having an advanced degree in behavioral sciences, preferably in the area of psychology or social work or rehabilitative counseling, or a person with a Bachelor's degree and at least two years of drug treatment experience or training. Paraprofessionals with appropriate training and experience may be utilized, provided they are under the direct supervision of a professional counselor.
- (4) When such counseling is to be conducted by someone other than the Contractor, center staff shall contact the CPM for approval of the plan, including the number and length of counseling sessions per month.
- (5) Center staff shall document the date and time of each counseling session for the resident's file. If counseling is conducted by the Contractor, the counselor shall keep notes of the sessions and summarize them each month for inclusion in resident's file.
- (6) The Contractor shall specify the method of urine collection and make arrangements to obtain urine samples as follows:
NOTE: The government has a contract for urine testing.

- (a) All sentenced residents with a condition of drug aftercare, known history of drug abuse, or suspected of illegal use of drugs, shall provide urine samples at a minimum of six times per month, three of which will be on an unscheduled basis.
 - (b) The Contractor shall establish a schedule for random urine collection for all other sentenced residents (those not included in (1) above). Samples shall be collected from at least one of every ten residents. Testing in greater numbers must be approved by the CPM. The resident(s) selected for random testing shall be tested only once in that particular month. These tests shall always be conducted on a "surprise", unscheduled basis.
 - (c) Urine samples shall be collected in an approved container. Collection must be witnessed by Contractor-authorized personnel, who must be of the same sex as the resident contributing the sample. As soon as the sample has been collected, the witness shall secure the specimen for drug testing, placing it in a locked container. The Contractor shall establish a procedure for chain of custody from the point of collection until it is mailed to the lab. Residents will not be involved in collecting, recording, mailing or processing the test results under any circumstances, nor shall any unauthorized persons have access to the specimens.
 - (d) Stalls. A stall is the failure of any resident to produce a urine sample for testing within two hours of a request. A stall shall be the basis for a disciplinary report. To eliminate the possibility of diluted or adulterated samples, staff shall keep the resident under direct supervision during the two-hour period. Drinking and ingestion of medication should be limited to essentials during that period.
 - (e) Positive Tests. A sample is positive when a urinalysis shows the presence of a controlled substance or its metabolite. Conversely, a sample is negative when a urinalysis shows the absence of controlled substances or metabolites.

CCC staff shall thoroughly investigate each positive urine test result to validate the positive finding. The Contractor shall immediately report all unauthorized positive test results to the CPM. Positive tests without sufficient justification shall be the basis for a disciplinary hearing, see Chapter 5, Section L.
- (7) When persons under supervision of the U.S. Probation System, (probationers, parolees, mandatory releasees) or pre-trial individuals are placed in a center, and are required to participate in drug aftercare, these services will be the administrative and fiscal responsibility of the local U.S. Probation Office.

- G. Authorized Absences. The Contractor shall only authorize a resident to leave the facility on pass as provided in Section H; on a furlough, as provided in Section I; or the resident may be at his place of employment/education or seeking employment/education; or in transit between the center and employment/education or any legitimate business, religious, medical, or formal program activity. *

H. Passes

- (1) A pass is a type of furlough authorized by Title 18, U.S. Code Section 4082, and is granted on a less formal basis than outlined in Section I. The Contractor shall grant passes as a viable part of the total reintegration process of the resident. A pass is limited to the local community (up to 50 mile radius).
- (2) The Contractor shall ensure that the pass (See Attachment G) is completed and signed by the resident.
- * (3) Passes, if recommended, must be recommended by a paid staff member and must be approved by CPM and signed by the Center Director. *
- (4) A record must be maintained of who approved/denied the pass and justification for the action must be documented.

I. Furloughs

- (1) A furlough is an authorized absence from the facility for a sentenced offender (18 U.S. Code 4082). Furloughs generally range from three (3) to seven (7) days in length and may be to the immediate area or outside the area (within the U.S.). The Contractor shall consider each furlough request in light of the following reasons, specified by Federal statute:
 - (a) To respond to specific family crisis/emergencies, and/or urgent offender needs;
 - (b) To obtain necessary medical/dental treatment which is not otherwise available;
 - (c) To participate in completion of release plans, including interviews with prospective employers, school enrollment and obtaining housing;
 - (d) To participate in special courses of training of thirty (30) calendar days or less when daily commuting from the facility is not feasible;
 - (e) To participate in family and selected community educational, social, civic, and religious activities or to reestablish family or community ties;

- (f) For transfer to another correctional facility; and
 - (g) To comply with the legal process of a court or competent jurisdiction, whether state or Federal.
- (2) The Contractor shall contact the U.S. Probation Officer(s) in the appropriate jurisdiction(s) to determine if there are any objections to the furlough.
 - (3) The Contractor will ensure that the Furlough Application Approval and Record Form is completed and signed by the resident. He shall forward the form along with details on the furlough and his recommendation for furlough to the CPM for approval. Forms shall be obtained from the CPM.
 - (4) Failure of the resident to remain within the extended limits of the authorized furlough or to return to the center within the time prescribed shall be deemed an escape. The Contractor shall report the escape as indicated in the Section on Escapes (Chapter 9, p. 1).
 - (5) The Contractor shall reserve a bed for any resident on furlough.

* J. Community Services - is defined as compensation to the community by the offender and takes the form of unsalaried services for a set period of time for needy groups, organizations, or government agencies.

- (1) The Contractor shall develop meaningful community services programs by staff contact with prospective agencies, liaison with USPO and development of related supportive agencies.
- (2) The program requires each resident to work a minimum of 8 hours weekly on community services jobs. Each will be screened as to their suitability for an agency.
- (3) The Contractor shall approve each resident's community services program and will insure that the agency is aware of the resident's legal status.
- (4) The Contractor shall contact the agencies involved and verify offender's compliance. A staff member shall visit the agency involved at least biweekly to monitor resident's performance. These contacts will be documented and placed in the resident's file.
- (5) A separate Community Services Log will be maintained by the Contractor, with copies being forwarded to USPO once a month.
- (6) Without a legitimate excuse, failure of a resident to comply with his/her community services obligation will result in disciplinary action. *

- * K. Restitution - A court imposed sanction in which the resident makes direct payment to the victim, either money or service, to compensate the victim for losses sustained during the offense.
- (I) The Contractor will develop a restitution program to include the following:
- (a) Review of Pre-Sentence Report to determine assessment of amount involved, the resident's ability to pay restitution, and in conjunction with a representative of the court, establishment of a payment schedule.
 - (b) Establish a collection procedure in conjunction with the Clerk of the Court, U.S. District Court for handling of restitution payment.
 - (c) A records system to monitor payments and provide receipts to the resident.
 - (d) A procedure for reporting and imposing appropriate sanctions for residents who fail to comply with their restitution schedule. *

L. Discipline

- (1) Procedures Upon Admission to Center. The Contractor shall furnish each new resident upon arrival with a copy of Prohibited Acts imposed by the Federal Prison System, (Attachment A, Prohibited Acts); those imposed by the center itself; types of disciplinary action which may be taken; and the disciplinary system within the center and time limits thereof. The Contractor shall also provide each new resident a copy of the established rules of the facility. Copies of these documents shall be posted at a prominent location, accessible to all residents. The resident file shall contain a signed receipt stating that the resident has received a copy of, and understands, the contents of said documents.
- (2) Types of Disciplinary Actions. There is a wide range of sanctions that a Contractor may impose for violation of center rules. The majority of these are minor in nature, such as reprimand, loss of T.V. or other privileges, or restriction to quarters. They require no special due process and shall be handled according to Contractor policy. The Contractor shall provide the CPM with a list of agreed upon minor sanctions that the Contractor may impose. There is a wide range of sanctions that a Contractor may impose for violation of center rules. The majority of these are minor in nature, such as reprimand, loss of T.V. or other privileges, or restriction to quarters. They require no special due process and shall be handled according to Contractor policy. The Contractor shall provide the CPM with a list of agreed upon minor sanctions that the Contractor may impose. Any changes in this list shall be approved by the CPM.

A recommendation for one or more of the major sanctions listed below requires a formal disciplinary hearing before the Center Disciplinary Committee (CDC) which follows the procedures described in this section. It also requires that one of the major prohibited acts, listed in

"Prohibited Acts" (Attachment A) has been alleged to have been committed. Not all prohibited acts in Attachment A are sufficiently serious to support a major sanction. Those acts marked with an asterisk are considered so minor in nature that they will not support recommending a major sanction.

- (a) Parole date rescission or retardation. The center may make recommendations for parole rescission or retardation.
 - (b) Forfeiture of Good Time (FGT). The center may make recommendations to the CPM for forfeiture of good time. Call the CPM regarding FGT available for forfeiture for the specified violation.
 - (c) Disciplinary Transfer. The center may make a recommendation to the CPM for transfer of a resident (See Para. 3 (b) & (c)).
- (3) Procedures Related to Recommending Disciplinary Action where Major Sanctions are Involved.
- (a) Informal resolution of incidents involving an infraction is preferred and shall always be considered prior to taking formal disciplinary action. Informal resolution may involve imposition of any sanction except major sanctions.
 - (b) Persons under supervision (i.e., probationers, parolees, and mandatory releasees) and pre-trial residents are subject to center rules and minor sanctions. However, if an act is alleged to have been committed by a resident under supervision which would require a recommendation of a major sanction, a formal disciplinary hearing is not required. Rather, center staff shall forward reports of such misconduct to the appropriate agency (U.S. Probation Office or U.S. Parole Commission) for disposition which that agency considers appropriate. The original of the disciplinary hearing materials shall be forwarded to the USPO. A copy of the report shall also be forwarded to the CPM.
 - (c) When informal resolution is not possible and disciplinary action is required, the center staff must decide whether the resident can remain at the center pending the hearing. If the center staff believes the resident (other than a person under supervision) may abscond prior to the hearing, or if he is thought to constitute a threat to himself, staff or center residents, the center may request the U.S. Marshal to escort the resident to the local detention center (jail) pending the hearing. The hearing shall be held in the detention center. The CPM shall be advised of any transfer immediately, and whenever possible, in advance of the move. This does not apply to persons under supervision. In emergency situations, the USPO and/or local law enforcement personnel may be contacted.

- (d) A formal hearing will be held where informal resolution is not considered appropriate or adequate. The resident has a right to be present at the hearing except during deliberations of the Committee or when security would be jeopardized. Reasons for the exclusion of the resident must be documented. When a resident escapes or is otherwise absent from the center without staff permission (e.g. when resident is arrested by local authorities), the Committee shall conduct a hearing, in the resident's absence. If the resident is held locally by state or local authorities, the hearing may be held at that facility. In the case of an absentia hearing, the charges will be reheard at the facility to which the inmate is designated after return to custody.
- (e) The incident with which the resident is charged must be one of the prohibited acts listed in Attachment A. The Center employee shall immediately complete Part I of the Incident Report (Attachment B). The description of the incident shall contain the details of the activity being reported. Relevant facts about the incident which are known shall be recorded. An example of information which may not be recorded on the incident report nor given to the inmate, but which may be provided to the discipline committee in the form of a confidential memorandum, is "informant" information that if released could result in harm. If there is anything unusual about the resident's behavior, this shall be noted. The reporting employee will list any staff, resident, or other witnesses to the incident, and the disposition of any physical evidence (e.g., weapon or property) which the employee may have personally handled.

The reporting employee will sign the report and indicate his title in the appropriate blocks. The date and time of the report being signed is also to be entered.

- (f) The Incident Report shall ordinarily be completed by the staff member who witnessed the incident, or who first came on the scene. However, the charge may also be taken from a police report, FBI report, DEA report, etc., in which case, the relevant information shall be transferred to the Incident Report Form. When this occurs, the charge may be translated into terms of the center's "Prohibited Acts" (e.g., No. 15 - Possession or Use of Narcotics), or the resident may be charged with Prohibited Act #41 - "Violation of a law while in the Community."
- (g) The completed Part I of the Incident Report shall be delivered to the resident involved within 24 hours of the time staff becomes aware of the resident's involvement in the incident. The staff member delivering the Incident Report shall note on the report the date and time the resident received the report. The investigation shall be ordinarily completed within 24 hours from the time Part I is delivered to the resident. Time limits here as elsewhere may be extended for good cause, such as absences of the resident or medical condition, but reasons must be documented.

- (h) A copy of the statement "Resident Rights At Center Discipline Committee Hearing" (Attachment C) shall be presented to the resident at the time he is given a copy of Incident Report. The Rights form shall be signed and dated by both the resident and the employee and the date of delivery to the resident recorded.
- (i) The Incident Report shall also be delivered to the head of the center who shall appoint an investigator. The reporting of the offense and the investigation of the offense must be independent. Therefore, the investigating staff member shall ordinarily be someone other than the reporting staff member. The only exception is when the incident is simply "lifted" from a police report; in such cases the reporting officer only exercises a clerical function in transcribing the incident, and therefore may also be the investigating officer.
- (j) The Investigator shall complete Part II of Incident Report (Attachment B), recording all steps and actions taken. This is not given to the resident.
- (k) The resident, witnesses, and members of the committee shall be advised of the date, time and place of hearing at least 24 hours in advance of the hearing, via Attachment D, "Notice of Center Disciplinary Committee Hearing," which shall be completed by staff and resident. The 24 hour notice may be waived by the resident. In such a case, Attachment C shall be completed.
- (l) The disciplinary hearing shall ordinarily be held within 48 hours after the investigation is completed, excluding weekends and holidays.
- (m) Each center shall establish a single Center Discipline Committee (CDC). The committee may be composed of one or more individuals, appointed by the Director of the center. Committee member(s) may include center staff (including part-time staff), a U.S. Probation Officer, a Deputy U.S. Marshal, or any other appropriate official (e.g., state or local law enforcement officer). No member of the committee shall have been involved in any significant way in the alleged infraction. The committee shall not include the reporting officer or investigating officer.
- (n) The resident shall be permitted to have a staff representative at the disciplinary hearing. The staff representative shall be given a copy of Attachment F, "Duties of Staff Representatives." The resident does not have a right to a lawyer at the hearing.
- (o) The resident or his representative shall be permitted to call witnesses from inside or outside the center, where their presence at the hearing would not pose a serious threat to the security of

the center. The resident shall not be permitted to question a witness. This is to be done by the staff representative or the Committee. The reporting officer and other adverse witnesses need not be called if their knowledge of the incident is adequately summarized in the Incident Report or other material supplied to the Committee. Witnesses whose testimony would be repetitious or irrelevant need not be called; written statements of unavailable witnesses will be accepted in place of "live" testimony. However, there must be good reason for failure to call a witness in person, and the reason shall be documented.

- (p) The resident has the right to make a statement and present documentary evidence in his own behalf.
- (q) The Committee shall review the evidence and (a) find that the resident either did or did not commit the prohibited act(s) charged in the Incident Report, or a similar act for which the resident has received adequate notice; and (b) shall determine what sanction(s), if any, is to be recommended to the CPM. If it is determined after a hearing that only a minor sanction is appropriate, this shall be imposed by center staff and materials forwarded to the CPM for information purposes.
- (r) If the committee finds that a prohibited act was committed, the committee chairman shall complete the CDC Report, Attachment E. A verbatim record is not required. The evidence relied upon, the decision, and the reasons for the recommendations shall be written out in specific terms, unless doing so would jeopardize center or individual security. Under "evidence relied upon," there must be reference to the specific facts the CDC relied upon and not mere reference to the report that contains those facts. These are essential items required by the Supreme Court in Wolff v. McDonnell. A copy of the CDC Report (Attachment E) shall be given to the inmate. (Part II of the Incident Report will not be given to inmate.)
- (s) Immediately after the hearing, center staff shall forward all original documentation related to the proceedings to the CPM. In the case of recommended parole sanctions, the CPM, after review, shall immediately forward the copy of the materials to the Regional U.S. Parole Commission. IDC materials on any resident with a parole must be forwarded by the CPM to the U.S. Parole Commission.
- (t) In the event the Committee finds that no prohibited act was committed, or if the finding that the resident committed the act is overturned on appeal, the material shall be expunged by staff. The requirement for expunging the disciplinary hearing material does not preclude maintaining for research purposes copies of disciplinary actions resulting in "not guilty" findings in a master file separate from the resident's central file. However, this material may not be used in a manner which would adversely affect the resident.

- (u) At the time the resident is advised of the disciplinary action, he shall also be advised that he may contest the decision by writing to the Regional Director within 30 calendar days from the date the disciplinary action is imposed. If the resident is to be transferred to a federal institution, then the staff should advise the resident to use the Administrative Remedy procedure and file his complaint with the warden.

M. Driving

- (1) If the Contractor wishes to approve driving privileges for the resident, he shall seek authorization from the CPM, subject to the following conditions:
 - (a) That the driving privilege is needed by the resident to go to and from work, training, school or staff approved family activities. The resident may not drive for any other purpose.
 - (b) That other transportation is unavailable or, in the judgement of the Contractor, is unsuitable.
 - (c) That the resident has provided proof of valid insurance, driver's license, vehicle licensing and registration to the CPM via the Contractor. The Contractor shall maintain copies of these documents except for the driver's license, which may not be copied. The Contractor shall record the driver's license number and expiration date in the client's file. If the Contractor sees a need to check the resident's driving record, he should contact the CPM for assistance.
 - (d) If the vehicle to be used is the property of some person other than the resident, Contractor must have verified proof (e.g., copy of documents) of valid insurance, vehicle licensing and registration for the car and a signed authorization to use the vehicle must be obtained from the legal owner.
- (2) The Contractor shall maintain the license number and a description of the vehicle on file.

* N. Family Visitation - Family visits allow the resident to maintain family ties, reinforce family support system, and facilitate positive reintegration into the community.

- (1) The Contractor shall establish a designated area for visiting and monitor this area.
- (2) The visiting area must be comfortable and esthetically conducive to wholesome social activity.
- (3) The visit area will be open primarily in evening and weekends when most people have free time. Adjustments should be made to accommodate those residents with unusual work hours.
- (4) Contractor shall approve a visitor's list for each resident and maintain this list in his file. *

O. Marriage

The Contractor shall refer a resident's request for marriage to the CPM, with Contractor's recommendations, for residents serving sentence. All other marriage requests shall be forwarded to the USPO.

Chapter 6. SERVICES

A. Food Services

- * The Contractor shall provide for the feeding of residents in the facility. The Contractor shall make arrangements for diets required by a physician and provisions for meals for those residents who work odd hours and are not available at meal time. *
- (1) Contractor prepared meals shall include reasonable selection of items from the five basic food groups per day, which are: milk; meat; vegetable and fruit; bread and cereal; and fats and sweets. When the resident's program requires a sack lunch, these lunches shall be nutritious and have variety and balance. The Contractor shall prepare menus at least a week in advance. The Contractor shall provide that a registered dietitian annually approves the nutritional value of a fixed * menu and semi-annually if menu is not fixed. This shall be documented. Copies of menus shall be maintained by the Contractor for three months.
- (2) When the Contractor provides food services in the facility, all persons preparing food shall comply with applicable Federal, state and/or local health laws and regulations.
- (3) At a minimum, the Contractor shall comply with the following standards as taken from the Department of Health, Education, and Welfare (HEW) Publication #FDA 78-2081 of 1976 and entitled, "Food Service Sanitation Manual."
 - (a) Food shall be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Food shall be obtained from sources that comply with all laws relating to food and food labeling.
 - (b) Food containers shall not be stored under exposed or unprotected sewer lines or water lines, except automatic fire protection sprinkler heads that may be required by law. The storage of food in toilet rooms or vestibules is prohibited.
 - (c) Potentially hazardous food shall be kept at an internal temperature of 45° F or below or at an internal temperature of 140° F or above during display and service, except that rare roast beef shall be held for service at a temperature of at least 130° F.

- (d) No person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other persons.
- (e) Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed. Long hair or beards must be tied up or put in a hairnet.
- (f) Tableware shall be washed, rinsed, and sanitized after each use.
- (g) Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.
- (h) Garbage and refuse shall be kept in durable, easily cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids.
- (i) Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harboring or feeding of insects or rodents.

B. Medical Services

- (1) The Contractor shall have basic first aid supplies, as provided in the American Red Cross First Aid Manual, on-site at all times.
- (2) One staff member on each shift of the center shall be trained in emergency first aid.
- (3) Written arrangements shall be made with a licensed general hospital, private physician or clinic to ensure that emergency medical service is available twenty-four (24) hours a day.
- (4) Only medical and dental personnel who are appropriately licensed or certified shall prescribe or administer medical and dental care for residents.

- (5) The Contractor shall request CPM approval prior to non-emergency medical treatment. In an emergency, the Contractor shall obtain the necessary medical treatment required to conserve the resident's health. The Contractor shall notify the CPM of such treatment as soon as possible.**
- * (6) When an offender is committed to the center via direct court commitment, the Contractor shall ensure that a physical examination of the individual is accomplished within five working days of his arrival at the center. The examination should be a general office physical (comparable to an insurance type physical, i.e., routine laboratory studies - CBC, urinalysis, serological tests for syphilis, chest X-Ray and Tine Test) and shall not require hospitalization to complete the exam. The results of the evaluation shall be appropriately documented and made a part of the resident file, plus a copy shall be sent to the CPM. **
- (7) If communicable or debilitating physical problems are suspected, the Contractor will make arrangements for an examination of the resident within twenty-four (24) hours.**
- (8) Medical expenses for persons under supervision of a U.S. Probation Officer shall be the responsibility of the resident. Staff shall assist the resident by identifying available community resources.

** Contact CPM for billing procedures for medical expenses.

Chapter 7. RECORDS AND REPORTS

PRIVACY ACT NOTIFICATION

This procurement action requires the Contractor to do one or more of the following: design, develop, or operate a system of records on individuals to accomplish an agency function in accordance with the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 USC 552a) and applicable agency regulations. Violation of the Act may involve the imposition of criminal penalties.

The above notification applies to the records described in this Section.

- A. Procedures for locating and verifying the whereabouts of residents at all times shall be instituted. These procedures shall include separate formal sign in and out log sheets for each resident. Each log sheet shall contain (a) resident's full name and register number, (b) present legal status, (c) time out, destination, purpose and authorized return time, and (d) time in - certified by staffs' signature or initials, with a section for special comments.
- B. The Contractor shall maintain a case record for all residents. This record shall include all significant decisions and events relating to that resident, and at a minimum, the following information:
 - (1) Initial intake information form.
 - (2) Case information from referral source, if available.
 - (3) Case history/social history.
 - (4) Medical record, when available.
 - (5) Individual plan or program.
 - (6) Signed release of information forms.
 - (7) Evaluation and progress reports.
 - (8) Current employment data.
 - (9) Rules of residence and disciplinary policy, signed by the resident.
 - (10) Copy of any disciplinary action.
 - (11) Documented legal authority to accept the resident.
 - (12) Referrals to other agencies.
 - (13) Final terminal report.
- C. Since resident records are exempt from the disclosure requirements of the Privacy Act, the Contractor shall not release any information other than Contractor generated information from the resident's file to the resident without approval by the CPM. Information shall not be released to any other individual(s) unless a "Consent to Release Information" has been executed (see Chapter 5, Sections A, B, C - p. 3).
 - (1) Upon termination of the resident's program the Contractor shall forward the resident file record to the CPM via certified mail. The Contractor may retain public information which can identify the former resident, copies of research data which have been depersonalized and copies of reports generated by the Contractor.

- (2) The Contractor shall provide appropriate safeguards to minimize the possibility of theft, loss or destruction of resident file records. Contractor shall identify staff who have authorized access to resident records.
- D. The Urine Sampling Program Report (provided by the CPM) shall be completed and forwarded to the CPM each month, with the monthly billing. A copy shall also be sent to the U.S. Probation Office. Note on the form, that the column "Community Programs" is to be used when reporting on residents with the condition of drug aftercare or those with a history of drug abuse. The other two categories are self-explanatory. Names of residents shall be placed in the left hand column which is labeled "institution". The Urine Sampling Program Reports shall be kept in a separate secure file folder.
- E. The Contractor shall keep a separate chronological log for each resident tested under the urine testing program. The log shall include specimen number, resident's name and number, date, staff member, reason for test, results and any extenuating circumstances. These individual logs shall be placed in the resident's file.
- * F. The Contractor shall maintain a record of the following resident finances: wages and salaries; amount of Federal, local and state tax withheld, savings, and restitution. *
- * G. The Contractor may be required to complete research forms. *
- * H. The Contractor shall establish and maintain a log of searches of the facility and personal belongings of the resident. *
- * I. The Contractor shall establish and maintain a community services log. This log will include resident's name, agency's name, dates community services given, and number of hours, and signature of staff member. *
- * J. The Contractor shall establish and maintain a system of accountability and method of disposition of resident's personal property to be implemented in the event of a resident's death, escapee or transfer. Inventory of resident property must be accomplished by no less than two staff, each of whom must sign the completed inventory list. *

Chapter 8. RELEASE PREPARATION

A. Release Plan

For sentenced residents scheduled for release, the Contractor, in concert with the resident, shall establish a formal release plan and execute release certificates as appropriate. Therefore, four to six weeks prior to the release date, the Contractor shall present a release plan for approval as follows:

- (1) In parole cases - to USPO, with a copy to CPM.
- (2) In mandatory release cases - to USPO, with copy to CPM.
- (3) In expiration cases - (although a release plan shall be developed, no government approval is necessary).

This plan shall include the verified specifics of the proposed residence, employment or training program and family situation.

- B. If an approved plan cannot be developed by the date of parole, the Contractor must notify the U.S. Parole Commission of the delay immediately. It is probable the date will be advanced. The resident shall not be released until a plan is approved. In the case of Mandatory Release, the resident must be released on that date.

- C. See Chapter 11, p. 1, for instructions on releasing persons already under supervision (probationers, etc.).

- D. Contractor shall verify the correctness of each resident's release date with the CPM prior to each resident's release. No release date of any federal prisoner shall be retarded, advanced or otherwise changed without approval of a CPM or U.S. Parole Commissioner.

E. Release Certificates

- (1) In mandatory release cases, the Contractor will execute Mandatory Release Certificates (which will be partially completed by the referring institution).
- (2) In parole cases, after the USPO has formally accepted the proposed release plan, the Contractor shall request parole certificates from the appropriate regional office of the U.S. Parole Commission, with a carbon copy of the request to the CPM. The request shall be made at least two weeks in advance of the parole date. The Contractor shall obtain the signature of the parolee on the certificate and execute formal discharge procedures at the direction of the CPM.
- (3) There are no release certificates on expiration cases, unless there is a special parole term to follow release.

- F. At release, staff shall make sure the individual understands his status, the condition of any supervision required, and that the resident who will be under supervision of a USPO must report to that office within seventy-two hours after release. The contractor must insure that residents take all their personal property.

If there is no period of supervision, the resident of course does not report to the USPO.

G. Terminal Report

The terminal report shall be completed within two working days of the resident's release and shall include, in addition to the identifying data, a description of the resident's adjustment while under the care of the Contractor, a prognosis for future adjustment, the amount of money in savings and/or contributions to dependents, and his/her release plans, including residence, employment and salary.

- H. The Contractor shall complete the following documents and distribute them within two working days of resident's release:

- (1) Certificates (Parole, Special Parole Term, Mandatory Release): Signature of releasee and staff and date.

Distribution: Original to releasee, copy to appropriate Regional U.S. Parole Commission, appropriate USPO and CPM.

- (2) Notice of Release and Arrival.

Distribution: Original to releasee, copy to appropriate U.S. Parole Commission, appropriate USPO, and CPM.

- (3) Terminal Report

Distribution: Original to CPM, copy to appropriate U.S. Parole Commission, and appropriate USPO.

- (4) FBI Wanted-Flash-Cancellation Notice (I-12)

Distribution: Original to FBI, Washington, D.C., appropriate USPO and CPM.

- (5) FBI Final Disposition Report (R-84) - on Expiration cases only.

Distribution: Original to FBI, Washington, D.C., copy to CPM.

Chapter 9. ESCAPES

- A. Any center resident who fails to report to the center for admission or willfully absconds, fails to remain at the approved place of employment or training during the hours specified by the terms of the employment or training program, fails to return to center at the time prescribed, or who fails to return from an authorized furlough or pass at the time and place stipulated shall be placed on escape status. In addition, any resident who is arrested while in the center program (or on furlough) for violation of local, county, or state laws may be considered to have escaped, depending on the circumstances.
- * B. The Contractor shall notify the CPM, U.S. Probation Office, and the U.S. Marshal's Office immediately upon identifying a resident as an escapee. *
- C. If the resident who has absconded is a parolee, mandatory releasee, probationer or pre-trial detainee, see Chapter 11, p. 1.
- D. Personal property left behind by an escaped resident shall be considered voluntarily abandoned. Staff shall contact the CPM for instructions. If an inmate is being held in a local jail, however, staff should try and determine the likelihood of early release and be guided accordingly.

Chapter 10. DEATH OF AN OFFENDER

In the event of the death of a resident, the Contractor shall immediately notify the CPM and the USPO and the resident's family. The center staff shall arrange for a fingerprint (right thumb or right index) to be taken, and staff shall date and sign the fingerprint card to ensure that positive identification has been made. The fingerprint card shall then be sent by certified mail to the CPM for inclusion in the Judgment and Commitment file.

If death is due to violence, accident surrounded by unusual or questionable circumstances, or if death is sudden and the deceased has not been under immediate medical supervision, center staff shall call the coroner of the local jurisdiction to review the case, and examine the body if necessary. After autopsy, the body will be turned over to family members or processed for burial in accordance with local law or practice.

Personal property of a deceased resident will be inventoried and forwarded to the person to be notified in case of emergency or to the nearest of kin.

Chapter 11
PROBATIONERS, PAROLEES, MANDATORY RELEASEES,
AND PRE-TRIAL SERVICES DEFENDANTS

- A. U.S. Probation Officers, acting as representatives of the U.S. Parole Commission, are responsible for residents assigned to the Contractor under Title 18, U.S. Code, Section 3651 (Probationers); and Title 18, U.S. Code, Section 4209 (Parolees and Mandatory Releasees). Pre-Trial Service Officers, acting as representatives of the U.S. District Courts, are responsible for residents committed under Title 18 U.S. Code Section 3146 (Pre-Trial service defendants).
- B. All referrals for CTC placement of the persons described in this Section shall be processed through the CPM.
- C. Contractor is responsible for providing all services cited in the Scope of Work, except as follows:
 - (1) Intake. Center staff in cooperation with the USPO or Pre-Trial Services Officer shall develop an individual program plan for each resident.
 - (2) **Medical Services.** The Contractor shall notify the USPO of medical problems of probationers, parolees, and mandatory releasees. The Contractor shall notify the Pre-Trial Services Officer for pre-trial residents. Medical expenses for persons under supervision of a U.S. Probation Officer or Pre-Trial Services Officer are the responsibility of the resident. Staff should assist the resident in finding appropriate community resources.
 - (3) **Unauthorized Absence.** The failure of a resident to be at an assigned place at a specific time shall be reported immediately to the USPO or Pre-Trial Services Officer as appropriate, and the CPM.
 - (4) **Good Time.** Good time is not earned nor forfeited for these residents, as they are not serving a sentence.
 - (5) **Driving.** Permission to drive must be requested from and approved by the USPO or Pre-Trial Services Officer as appropriate.
 - (6) **Release.** When the center determines that the resident's program is completed or that participation in the center's program will produce no further significant benefits, the staff shall notify the USPO or the Pre-Trial Services Officer as appropriate, (with a copy to the CPM) who will then make other arrangements for the residence, program and welfare of the releasee. A Terminal Report shall be completed by the Contractor and forwarded to the USPO or Pre-Trial agency, as appropriate, and to the CPM.

**ITEM 2-2
CONTRACT MONITORING FORM
(Bureau of Prisons)**

October 6, 1980

MONITORING INSTRUCTIONS

The primary purpose of contract monitoring is to ensure the Contractor is adhering to the conditions of the contract, i.e., Statement of Work (SOW) for that specific contract. Other purposes are to provide needed technical assistance, clarify contract requirements, help resolve any problems existing between the Contractor and local Federal agencies and provide Federal residents an official resource they may need to resolve technical questions.

The attached monitoring report is designed to be used with the SOW developed for the contract being monitored. The Contractor's program can only be evaluated in terms of what he agrees to provide and the FPS has agreed to accept as indicated in the SOW section of the contract. Thus, the reviewer will need to have a copy of the SOW available when monitoring the facility.

This report is designed to follow the sequence of the SOW. Questions that call for a "Yes" or "No" answer, require that 100% of the answer be "Yes" or "No." Anything less requires an explanation. Many items need documentation. It is imperative the reviewer see the documentation before the report can be valid.

The reviewer must respond to any item that calls for a written description or explanation. Any other item that would be clarified by a written description should also be addressed in that manner. All statements should be complete and concise.

To aid consistency and simplify the review process, several attachments (worksheets) have been included as part of the monitoring report. These attachments are guidelines for the monitoring process and are to be retained with the report. The reviewer will use each attachment as a separate instrument when reviewing those items. The worksheets should be completed before in-depth monitoring begins. This will save time by making it unnecessary to refer to the file each time questions arise as to documentation.

The Contractor is to be advised he has 14 days, from date of his receipt of the report, to respond in writing to any deficiencies noted. He also must be advised that any deficiencies not corrected will be brought to the attention of the Regional Office for further disposition. A Contractor's response should include a written plan of action with scheduled completion dates for all deficiencies noted.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

CONTRACT RESIDENTIAL SERVICES
MONITORING REPORT

1. Date of Review: _____.
2. CPO (Name, Location, Code): _____

3. FACILITY (Name, Address, Phone No. & Code): _____

4. FACILITY DIRECTOR (Name): _____
5. FACILITY'S OPERATING CAPACITY: _____
6. TOTAL POPULATION ON DAY OF VISIT: _____
7. FEDERAL POPULATION ON DAY OF VISIT: _____

USPO Clients:	Male	_____	Female	_____
FPS Clients:	Male	_____	Female	_____
8. Does the agency have a current policy and procedures manual?
9. Does the manual clearly describe purpose, philosophy, programs and services of the facility? (See Attachment 1.)
10. Is there evidence the manual is available to and has been read by all staff?
11. Does the manual reflect current operating procedures?
Give date of last review or revision.

12. Is this facility co-correctional?

If so, are sleeping areas separated? Yes _____ No _____
Is there supervision and separation by sex to provide
privacy and protection? Yes _____ No _____

13. Does this agency have ACA Accreditation?

PERSONNEL

14. Is the Contractor maintaining the number and quality of staff indicated by the contract and has there been any change in key personnel?

15. Do new staff meet minimum employment qualifications established by the contract? (List names and qualifications.)

16. a. Do position descriptions reflect current duties of personnel?

b. Do all staff have copies of their current position descriptions?

17. Is staff supervision maintained as called for in Statement of Work?

18. Does counseling staff's schedule meet requirements of Statement of Work? (Indicate hours of counseling coverage.)

19. a. Are there written guidelines prohibiting fraternization between staff and residents (social and business)?
b. Has there been a problem in this area, if so what?
20. a. If applicable, are posters relevant to personnel programs such as EEO, Affirmative Action, Service Contract Act, etc., placed in a conspicuous place where all personnel can review?
b. If not, why?

FACILITY

21. List documentation, with dates of issue and expiration, indicating Contractor conforms to all applicable zoning ordinances, laws, codes and local building, sanitation, health and fire codes.
22. Do all major physical changes made since last monitoring comply with Statement of Work?
23. What public or other means of transportation is located near the facility? How near? (See Resident interview Worksheet Attachment 3.)
24. a. Are sleeping areas well lighted and ventilated?
b. Are there any problems in this area?
25. Do residents verify they are supplied with items of bedding and linen required by Statement of Work? (See Resident Interview Worksheet, Attachment 3.)

- 26. Is Contractor adhering to Statement of Work regarding adequate program space?
- 27. Are toilets, wash basins and bathing facilities sanitary and operational?

SAFETY AND SANITATION

- 28. Are fire doors open, free from obstruction and readily accessible? (Test Them.)
- 29. Are fire inspections and fire equipment testing documented? Write name and title of individual doing testing and date of last test.
- 30. Test smoke detectors. Are they all working?
- 31. Test standby emergency lighting. Does it work?
- 32. Are fire extinguishers current? List date of last inspection:
- 33. Is facility equipped with standpipe hose and/or automatic sprinkler system in good working order?
- 34. Are all hazardous materials stored properly?
- 35. Is bedding acquired by Contractor since inception of this contract made of flame resistant and non-toxic materials?
- 36. a. Are evacuation drills conducted periodically? (See Resident Interview Worksheet, Attachment 3.)

b. List date and time of drills conducted since last monitoring:

37. a. Is the weekly sanitation inspection log of the facility and surrounding area up to date?
- b. Indicate any problems:

PROGRAMS

38. Resources: (See file review worksheet, Attachment 2.)
- a. Does the Contractor have a method of development and utilization of community resources and services, including other Federal, state and community agencies, to fulfill residents' needs and goals?
- b. Do resident files indicate procedures outlined in the Agency Manual are being followed?
- c. Describe supporting documentation indicating adherence to these requirements:
39. a. Is an active volunteer program a part of this contract?
- b. If so, is Contractor following volunteer program plan?

Intake (See File Review Worksheet, Attachment 2.)

40. a. Are rules, regulations and intake procedures current? When were they last reviewed?
- b. Is Contractor following all referral procedures?
- c. Indicate any problems:

Individual Program Planning and Progress (See File Review Worksheet, Attachment 2; Resident Interview Worksheet, Attachment 3; USPO Interview Worksheet, Attachment 4.)

41. a. Do program plans address offender's skills as related to economic needs, employment goals, etc.?

- b. Are plans being followed?
 - c. Are deviations supported with appropriate documentation?
 - d. Is there documentation resident is involved in Program Planning and Review? (Does resident sign anything to verify this?)
42. Employment: (See File Review Worksheet, Attachment 2; Resident Interview Worksheet, Attachment 3.)
- a. How does staff prepare resident for job search?
 - b. What documentation verifies Contractor is approving resident's employment?
 - c. What is Contractor's schedule for employment counseling?
 - d. Is it being followed?
 - e. What efforts are being expended to upgrade resident's employment?
 - f. What is procedure for contacting each resident's employer at least once weekly and visiting job site at least once during his period of residency? Is it documented?
43. Drugs and Alcohol: (See File Review Worksheet, Attachment 2; Resident Interview Worksheet, Attachment 3; USPO Interview Worksheet, Attachment 4.)
- a. Is each pre-release resident with condition of aftercare being provided specialized drug counseling?

b. Via USPO Aftercare contract or in-house program?
(Explain procedure.)

c. Does USPO verify he is being notified by Contractor at least two (2) weeks prior to resident's arrival and that a planning conference is held within one (1) week after resident's arrival?

If not, explain:

d. Does USPO visit Center to plan aftercare resident's program plan?

e. How is it documented that the Contractor is adhering to the requirements for urine collection?

f. Does the frequency of the urine collections comply with procedures required in the Statment of Work?

g. Do the procedures being used in collecting urine samples comply with the Statement of Work? (See USPO Interview Worksheet, Attachment 4.) Are there random tests?

h. How does the Contractor ensure security and proper identification of urine samples?

i. How are positive tests and stalls reported? Is this in compliance with the Statement of Work?

44. Passes and Furloughs

- a. Are passes a part of the resident's program at this facility?
- b. Describe any furlough or pass discrepancies exceeding time and distance limits specified in Statement of Work.

45. Live-Out: (See USPO Interview Worksheet, Attachment 4.)

- a. Are the Contractor's written procedures for the operation of a live-out program being followed:
- b. For each person placed on live-out since the last monitoring, do the records contain:
 - (1) A signed statement of agreement?
 - (2) A written contract describing the resident's responsibilities and obligations while on live-out?
 - (3) A log that is complete and current and properly maintained, as described in the Statement of Work?

46. Discipline: (See File Review Worksheet, Attachment 2.)

- a. Do files contain signed copies of prohibited acts imposed by FPS, as well as those of the Center?
- b. Are the rules posted?
- c. Is there documentation or written procedure to ensure staff are trained in proper disciplinary procedures? (List.)
- d. Give examples of minor infractions and procedures for handling them:

e. What problems has facility had receiving Regional certification on IDC actions during the past six (6) months?

f. Do incident reports and related documents in resident's files comply with procedures as outlined in the Statement of Work?

47. Driving: (See File Review Worksheet, Attachment 2.)

a. Is there proper documentation, including written CPO approval, for each resident with driving privileges?

b. What method is used to ensure vehicle is not used for purposes other than authorized in Statement of Work (keys turned in to staff - mileage checked, etc.).

SERVICES

48. Food Services: (See Resident Interview Worksheet, Attachment 3. Food Services Worksheet, Attachment 6.)

How does Contractor provide for food services?

a. If Contractor provides meals through a local restaurant, the CPO will personally visit the restaurant to ensure it is a full service facility and that it meets local licensing requirements. (Check license, health permits, etc.)

b. If Contractor provides food services:

(1) Have they prepared weekly menus and have their menus been reviewed by a registered dietitian in the past six (6) months?

(2) Review copies of menus for past three (3) months. Are the menus varied, nutritious, etc.?

- (3) Are there local licensing requirements for food preparation and food handlers in this facility?

Does the facility comply with these requirements?

- (4) Does the Contractor comply with the standards taken from the DHEW Publication No. FDA 78-2081 of 1976, as outlined in the Statement of Work? (See Food Services Worksheet, Attachment 6).

49. Medical Services

- a. Does the Contractor have a complete first aid kit, as specified in the American National Red Cross "Standard First Aid and Personal Injury" booklet, and is it accessible?
- b. Does the facility have documentation certifying that at least one (1) staff member on each shift has been trained in emergency first aid procedures?
- c. Are the written arrangements for emergency medical care services provided for in the contract still valid?
- d. Document any problem areas regarding either non-emergency or emergency medical treatment?
- e. Are physical examinations completed within five (5) working days after arrival on all Direct Commitments, and are these documented? (See File Review Worksheet, Attachment 2.)

RECORDS AND REPORTS

50. Does the sign-out log contain the following information?
- a. Resident's full name?
 - b. Present legal status?
 - c. Time out, destination, purpose and authorized return time?
 - d. Time in -- certified by staff, with section for special comments?
 - e. Staff initial after each resident entry?
 - f. Describe discrepancies to established procedures:
51. Does Contractor's records contain all necessary information as required by Statement of Work? (See File Review Worksheet, Attachment 2.)
52. a. Are terminal reports completed within two (2) working days after resident's release?
- b. Are they complete and do they provide USPO release information such as CTC adjustment, employment performance, problem areas, release plan, release residence, savings. (See USPO interview Worksheet, Attachment 4.)
53. Are resident files protected to minimize against theft, loss or destruction?
54. a. Has Contractor authorized in writing who may have access to resident files?
- b. Does this meet FPS standards as outlined in Statement of Work?

- 55. Does Contractor have files in facility that should be forwarded to CPO?
- 56. Is Contractor maintaining a record of resident finances?
- 57. Is a signed "Disposition of Property Form" in each resident's file reviewed?
- 58. Do files of all Direct Commitments include all required documents? (See "Records and Reports" section of File Review Worksheet, Attachment 2.)

RELEASE PROCEDURES

- 59.
 - a. Are parole plans submitted to USPO 4 to 5 weeks prior to release date and do they contain proper and correct information? (See USPO Interview Worksheet, Attachment 4)
 - b. Is Contractor receiving parole plan approvals from USPO two to three weeks before parole date in order to request parole certificates?
- 60. Are residents receiving adequate instructions regarding their responsibilities and obligations while under supervision?

ESCAPES

- 61.
 - a. Have there been any escapes since the last monitoring?
 - b. Were problems encountered with the reporting procedures?

62. Were the CPO and U.S. Marshal notified immediately?

PROBATIONERS, PAROLEES, MANDATORY RELEASEES
AND PRE-TRIAL SERVICES DEFENDANTS

63. a. Can staff differentiate between Public Law residents and those committed to the custody of Attorney General? (See File Review Worksheet, Attachment 2.)

b. Do they understand procedures to be used in handling each group as specified in Statement of Work?

64. LIST NAME AND POSITION OF
STAFF INTERVIEWED DURING
VISIT:

LIST NAME AND REGISTER NO.
OF RESIDENT'S INTERVIEWED
DURING VISIT:
Add Comments:

SUMMARY

65. Indicate areas in which Contractor needs improvement and steps to be taken to accomplish, including time frames for completion. (Use additional sheets, if necessary.)

Deficiency	Corrective Action Required	Should failure to correct deficiency result in cancellation of contract? (Give reasons.)

66. Date of next scheduled monitoring: _____

CPO Signature & Date

67. Total man hours spent in monitoring, not including travel time. _____

68. REGIONAL COMMUNITY PROGRAMS ADMINISTRATOR'S COMMENTS:

Regional Administrator's
Signature & Date

AGENCY MANUAL REVIEW WORKSHEET

Does the Manual address the following areas?

ADMINISTRATION

1. Emergency procedures and evacuation plans
2. No resident shall have the authority to supervise other residents
3. Excessive use of physical force by staff
4. Searches of facility and residents

PERSONNEL

5. Fraternization of social or business nature between staff and residents

PROGRAMS

6. Resources: Development of community resources and services
7. Intake: Individual counseling programs
8. Employment: Assistance with employment and community related problems
9. Live-Out: Live-Out policy and Procedures

FILE REVIEW WORKSHEET

1. Resources: Check files for program plans and describe supporting documentation that policy and procedures of Agency Manual are followed.
2. Intake: Check file to ensure presence of resident's signed and dated copy of the following:
 - Copy of prohibited acts - signed and dated by
resident
 - Rules of facility - signed by resident
 - Misconduct reports (if available)
 - Incident reports and related documents
3. Individual Program Planning and Progress: Does file contain individual program plan and documentation of weekly progress reviews, signed by resident and staff?

Check program plan against identified employment skills, economic needs and goals.
4. Employment: Compare program plan vs. employment record.
5. Drugs and Alcohol: Does file contain copy of CPO's approval of drug program?
6. Passes and Furloughs: Inspect passes and furloughs to determine:
 - a. Who authorized pass or furlough
 - b. Was pass within time limits of Statement of Work?
 - c. Did reasons for furlough meet criteria as specified by Statement of Work, Section 9?
 - d. Was USPO advised of need for furlough?

7. Driving: Written CPO approval, copy of vehicle license number and description of vehicle, registration, valid insurance, and an authorization from the legal owner to use vehicle.
8. Medical Services: Review files of all Direct Commitments received within the past six (6) months to determine that physical examinations have been completed within the first five (5) working days after arrival.
9. Records and Reports:
 - Initial Intake Information Form
 - Case Information from Referral Source, If Available
 - Case History/Social History
 - Medical Record, When Available
 - Individual Plan or Program
 - Signed Release of Information Forms
 - Evaluation and Progress Reports
 - Current Employment Data
 - Rules of Residence and Disciplinary Policy, Signed by Resident
 - Documented Legal Authority to Accept the Resident
 - Referrals to Other Agencies
 - Signed "Disposition of Property Form"
10. Probationers, Parolees, MR's, Etc.: Can the resident's commitment (legal) status, i.e., Public Law versus Custody of Attorney General, be determined from Contractor's resident file?

RESIDENT INTERVIEW WORKSHEET

1. Are counseling staff available during the hours you are free from work?
2. Do you have any problems getting to and from work. What mode of transportation do you use?
3. Do you have any problem keeping clean clothing, clean bed linens, towels, etc.?
4. Do you have a program plan? How was it worked out? Do you review it regularly with a staff member?
5. Have you participated in a fire drill? If so, when?
6. How did you get your job? Is it the kind of job you think you should have? If not, has a job change been discussed in your weekly reviews?
7. Do you have a drug aftercare condition? If yes, what kind of program are you in?

Have you met with the U.S. Probation Officer?
8. What do you think about the food?
9. What is the purpose of your being placed in the CTC?

USPO INTERVIEW WORKSHEET

1. Program Planning: Have you been invited to attend staffings of residents at the facility?
2. Drugs and Alcohol: For all persons with a condition of drug aftercare, is the USPO receiving advance notification of their arrival? Are planning conferences being held within one week after the client's arrival.

Do you receive copies of the Urine Sampling Reports in a timely fashion?

3. Furloughs: Are you being consulted in the case of furloughs?
4. Live-Out: Are you being consulted regarding residents being placed on Live-Out?
5. Release Procedures: Are you receiving parole plans four to six weeks prior to a resident's release date?

Are you satisfied with the quality of the plans?

Are residents receiving adequate instructions at time of release?

Are you receiving Terminal Reports in a timely fashion? Are they satisfactory?

Are you receiving release certificates?

6. Are residents benefiting by being released through this CTC? How?

CONTRACTOR INTERVIEW WORKSHEET

1. Do you have any problems with your billings?

Are you receiving your payments on time?

2. Are referral packets from institutions satisfactory? If not, list the institutions and the problem(s).
3. Do you receive transfer packets from institutions prior to a resident's arrival? Do they contain all the necessary documents?
4. Do institutions give the Contractor notice of pending arrivals, including pertinent data such as method of transportation, departure and arrival times, etc.?
5. Do residents receive funds for transfer to the facility?
(How much -- any problems?)
6. Is the resident on medication at the institution given medical supplies, prescription medicine, etc. to last during the transfer to your CTC?
 - a. Are you receiving a 30 day supply for resident from institution? List problem institutions and inmates.
7. Are you having any problems with the Probation Office regarding commitments of Public Law offenders?

Are you receiving parole plan approvals in a timely fashion?

8. Are you receiving cooperation from the U.S. Marshal's Service?

FOOD SERVICES WORKSHEET

I. Conditions of Storage of Food & Drink:	Acceptable	*Not Acceptable
1. <u>Clean, covered containers.</u>		
2. <u>Containers are impervious & non-absorbent</u>		
3. <u>Solid cuts of meat are covered.</u>		
4. <u>At least 6" above floor in clean place protected from splash & other contaminants.</u>		
5. <u>Storage areas & facilities are easily cleaned.</u>		
6. <u>Protected from exposed or unprotected sewer or water lines (except sprinkler heads).</u>		
7. <u>Not stored in vestibules or toilet rooms.</u>		
8. <u>Protected from cross contamination.</u>		
9. <u>Protected from contact with water or undrained ice.</u>		
10. <u>Wrapped sandwiches are <u>not</u> in direct contact with ice.</u>		
11. <u>Bulk food stored in marked containers (flour).</u>		
II. Cleanliness		
1. <u>Tableware is washed, rinsed and sanitized after each use.</u>		
2. <u>Kitchenware and food contact surfaces are washed, rinsed and sanitized after each use and following interruption of F/S operations.</u>		
3. <u>Kitchenware and food contact surfaces used to prepare potentially hazardous food are wshed, rinsed and sanitized regularly.</u>		
4. <u>Food contact surfaces of grills, grid-dles, etc. and cavities and door seals of microwave ovens are cleaned daily.</u>		
5. <u>Cooking equipment is kept free of encrusted grease deposits, dust, accu-debris.</u>		
6. <u>Floors and walls are cleaned during periods when a minimum amount of food is exposed.</u>		

*Any item checked "Not Acceptable" must be explained, with recommendations for correction.

	Acceptable	*Not Acceptable
7. Walls and floors are cleaned by dustless methods.		
8. Cleaned and sanitized equipment and utensils are handled in a manner that protects from contamination.		
III. Quality of Food and Food Preparation.		
1. Food is in sound condition, free from filth, contaminants and is safe for eating.		
2. Food is obtained from sources complying with all laws relating to food and food labeling.		
3. All hermetically sealed food was prepared in food processing establishments.		
4. Food is protected from potential contamination including dust, insects, rodents, dirty equipment and utensils, unnecessary handling, coughs, sneezes, flooding, drainage and overhead leakage, or dripping from condensation.		
5. Food is kept at 40 ⁰ F or below, or 140 ⁰ F or above at all times (rare roast beef may be served at 130 ⁰ F).		
6. Food is prepared with least possible manual contact.		
7. Food is prepared on surfaces that have been cleaned, rinsed and sanitized.		
8. Containers used in food preparation and utensil washing are kept covered after they are filled.		
IV. Food Service Personnel.		
1. No person is allowed to work in F/S who is infected with a communicable disease, boil, infected wound or acute respiratory infection or is the carrier of any disease.		
2. F/S workers thoroughly wash hands and exposed portion of arms with soap and warm water before starting and during work, after eating, smoking, drinking, or using the toilet.		

*Any item checked not acceptable must be explained, with recommendations for correction.

	Acceptable	*Not Acceptable
3. F/S workers keep fingernails clean and trimmed.		
4. F/S workers' outer clothing is clean.		
V. Control of Refuse and Sewage.		
1. Garbage and refuse is kept in durable, easily cleaned insect and rodent proof containers that do not leak or absorb liquids.		
2. There are enough containers to hold all refuse.		
3. Soiled containers are cleaned frequently to prevent insect and rodent attraction.		
4. Cleaning of containers does not contaminate food, equipment, utensils or food preparation areas.		
5. Hot water and detergent or steam cleaning are provided for washing containers.		
6. Liquid waste from compacting or cleaning operations are disposed of as sewage.		
7. Containers stored outside and dumpsters, compactors and compactor systems are easily cleaned, have tight fitting lids, doors or covers and are kept closed when not in use.		
8. Effective measures are used to control rodents, flies, cockroaches and other insects.		
9. Premises are kept in condition to prevent feeding or harborage of insects or rodents.		

*Any item checked "Not Acceptable" must be explained, with recommendations for correction.

Section 3

Community Service

Both the Presidential Commission on Drunk Driving and Federal statutes provide for the use of community service as an alternative to incarceration. The Commission recommended 48 hours of jail or 100 hours of community service for *first* offenders. P.L. 98-363 embodies this recommendation in legislation that provides incentives to States that pass laws mandating these penalties. Section 408 of the Highway Safety Act provides that one of the qualifications for States to receive incentive funds is that the State have a law requiring 2 days (48 consecutive hours of confinement) or 10 days of community service for *second* DWI offenders. In response to this guidance, and because community service involves considerably less expense to State and local agencies than does incarceration, some States have passed laws that permit the substitution of community service for jail time. A discussion of community service for DWIs is given in Volume II of this series.

FORMS FOR A COMMUNITY SERVICE PROGRAM (Item 3-1)

Reproduced in this section is a set of

forms used by Project 20, a community service program in San Francisco. They are taken from a report entitled *Community Service by Offenders* produced by the National Institute of Corrections. The author M.S.K. Harris (1979), describes the procedures for processing DWI offenders. Two additional forms not used by Project 20 but frequently found in community service programs are the formal court order to community service and the individual contract agreement. Examples of these forms—from Cook County, Illinois—are also included in this section.

CALIFORNIA LEAGUE OF ALTERNATIVE SERVICE PROGRAMS (Item 3-2)

The California League of Alternative Service Programs (CLASP, n.d.) has collected data on a number of community service centers within the State. The results of their survey are summarized in Volume II of this series. CLASP has developed standardized procedures for evaluating community service programs and collected information from a number of community service programs

in California. A list of their current publications is included in this section.

WAIVER OF LIABILITY (Item 3-3)

The problem of liability is one raised in many community service programs. In most areas, this problem is solved by obtaining liability insurance, with the cost frequently passed on to the client. Cook County, Illinois, uses instead the release reproduced in this section. This release was developed by the State attorney general. Whether such releases can be used to protect the organization that manages a work release program has not yet been fully tested in the courts.

LIABILITY INSURANCE (Item 3-4)

Reproduced in this section is a brief manual—produced by the State of Virginia—on insurance requirements for community service programs. The insurance requirements for any locality will depend on the type of community service program and the laws of the particular State. The Virginia summary may be helpful in indicating the considerations that enter into establishing an adequate insurance program.

ITEM 3-1
FORMS FOR A COMMUNITY SERVICE PROGRAM
(Project 20, San Francisco, California)

An Example—Project 20

Referral by the Court. Procedures and forms developed by Project 20 will be traced sequentially in this section to illustrate the placement process. The court clerk provides an offender sentenced to perform community service with the address of the community service program to which the person is being referred and instructions on how to make an appointment.

For offenders assigned to Project 20, the clerk fills out in triplicate the Project 20 "Referral Form," included here as Form 1, and supplies a copy to the offender, the court, and Project 20. In addition to listing the offender's name, address, and telephone number, the Referral Form specifies the referring court, the number of hours of service required by the court, the date by which the hours should be completed, and, in many instances, the offense of which the offender was convicted.

The form includes a place for the sentencing judge to indicate the sentence that would have been imposed if community service had not been ordered. The form also is used to schedule progress reports or completion hearings before the court and to indicate whether the offender is required to attend any such hearing.

After the community service sentence has been imposed by the court and the offender has been told how to contact Project 20 for placement, the offender is expected to make an appointment with the Project for an intake interview. The Project is staffed by five employees—the project director, two staff aides, one placement worker, and an office manager.

Some offenders fail to assert the initiative required to make and appear for this appointment. Project 20 staff notify the referring court if an offender is not heard from within a certain period; one month is commonly allowed. Of the 476 offenders referred to Project 20 from July through September 1977, five percent failed to contact Project 20 at all and another ten percent did not keep appointments made for intake interviews.

Upon reporting to the Project 20 offices, the offender is greeted by a receptionist who accepts the Referral Form and asks the offender to complete a "Personal Information Sheet" (Form 2) and a "Procedures Form" (Form 3).

The top portion of the Personal Information Sheet concerns the offender's current situation, vital statistics, general health, education, and skills. The bottom portion warns of action that can be taken if the offender fails to appear at the assigned work site or fails to perform satisfactorily.

The Personal Information Sheet also includes a waiver intended to relieve the court, the probation office, Project 20, and the work-site agency of liability in case of injury. The offender is required to sign this sheet, thereby acknowledging the consequences of unsatisfactory participation and waiving any claims for compensation in event of injury.

The Procedures Form delineates what the offender can anticipate throughout the program, including referral, intake, assignment/placement, and return reports to the court. It also specifies the offender's responsibilities and provides a warning about the consequences of failure to appear for any court-ordered report. The offender is required to sign this form also, in order to acknowledge its receipt and understanding of its contents.

The upper portion of the Procedures Form is given to the offender so that a list of Project 20 procedures and responsibilities can be kept at hand. The lower portion, with the offender's signature, is retained in the offender's file at Project 20 for use in court if the offender claims never to have been informed of applicable procedures and responsibilities.

While the offender fills out Forms 2 and 3, the receptionist copies the information from the Referral Form (Form 1) onto the upper portion of the "Individual Progress Sheet" (Form 4). The remainder is completed later. If the offender has been assigned by the court to perform 32 hours of work or less, the offender usually is interviewed on this initial visit. However, if the sentence involves an assignment of more than 32 hours, an appointment is set for a date in the future.

More information and care are required for placements of more than moderate length. Because an intake interview may last 30 minutes or longer and because the staff handles a large volume of referrals, a subsequent interview usually must be set two or three weeks from the day the offender first appears in the Project offices.

The same general kinds of information are sought in all intake interviews. A Project 20 staff member interviews each offender about skills, attitudes, physical and emotional well-being, location of residence, family responsibilities, and method of transportation, as well as the nature of the offense and the nature of any prior convictions.

Most community service programs reserve the right to refuse to accept a referred offender, and such a determination would be made during the intake interview. Project 20 reportedly turns down only two or three of-

fenders a year. (The Alameda County program rejects approximately two percent of the offenders referred on grounds such as inappropriate attitude, lack of usable skills, severe emotional or physical health problems, and lack of transportation or child-care arrangements.) Such persons are referred back to the courts for another disposition.

If the Project 20 interviewer believes that there may be psychological or medical problems that might disqualify the offender from the program or require special placement, or if the court raised such a possibility, the interviewer asks the offender to fill out and sign the "Medical Release" (Form 5) authorizing his or her personal physician to release to Project 20 staff any information that will assist in the placement.

Placement. Project 20 staff try to make a work assignment for the offender during the intake interview. The interviewer and the offender consider the options and how they suit the offender's skills, interests, and practical constraints.

In most instances, a telephone call is made while the offender is present to the placement site that interviewer and offender agree is most desirable. The interviewer finds out whether a work opening still exists and whether the agency is willing to accept the offender in question. If the call results in a placement, the interviewer completes the "Site Referral Sheet" (Form 6).

When the work site has been selected and the Site Referral Sheet completed, the offender is instructed that the next steps are to report for work and to complete the assigned hours as scheduled. If a placement cannot be arranged during the intake interview, the Site Referral Sheet is filled out to the extent possible without knowing the agency to which the offender will be assigned and the offender is given a date on which to call Project 20 to see whether a placement has been arranged. The Project 20 interviewer makes it clear that it is the offender's own responsibility to contact Project 20 about placement at the time designated.

When the offender has been assigned to a work site, Project 20 completes the middle section of the Individual Progress Sheet (Form 4), which provides basic information concerning the placement for the offender's file. The "Information Sheet" (Form 7) and "Sign-In Sheet" (Form 8) are mailed to the assigned work-site agency.

The Information Sheet provides data regarding the nature of the offender's sentence and carries the instruction that staff at the work site should mail the sheet back to Project 20 when the offender has completed the assignment. Staff at the work site are responsible for keeping track of the hours of service performed by the offender and recording them on the Sign-In Sheet.

Follow-up. Project 20 is responsible for monitoring offenders' progress and reporting to the court on each assignment. In practice, the Project does not exercise ongoing oversight of the progress of each placement. Usually a staff member waits to contact the work site to check on the offender's progress until about a week before the scheduled progress report or completion date set by the court on the Referral Form.

Progress reports usually are not required for minor offenses or short sentences. If Project 20 learns that the offender is not meeting his/her obligation, the court is notified and a hearing is set. Except for persons convicted of felonies, who are accompanied in court by probation officers, a Project 20 staff member must appear at all court hearings.

If an offender has not completed the required hours by the time a court hearing is held, an extension of time usually is granted by the court unless the offender has been irregular in attendance or otherwise irresponsible or troublesome. Although the decision to make an extension rests with the court, most judges rely heavily on recommendations of Project 20 staff. If the offender has not performed satisfactorily, the sentence that would have been imposed but for the community service sentence (if indicated on the Referral Form) is then imposed. Otherwise, the judge uses his or her discretion in selecting another sentence. If offenders scheduled for a court hearing fail to appear, the court issues a bench warrant.

After the judge has made a decision and Project 20 has been notified of the outcome, project staff send a "Hearing Information Sheet" (Form 9) to the work site to inform staff of the action taken. Project 20 also sends a notice to the offender describing the results of the hearing.

If the offender satisfactorily concludes the work assignment, the work site returns to Project 20 all court forms and signed, completed time sheets. If a date for a completion report was set by the court, a member of the Project 20 staff, sometimes accompanied by the offender, appears in court to close the case, thus providing direct feedback to the court regarding the program and offenders assigned to it.

If no date for such a court appearance was set, the program sends a memorandum to the court, and a copy to the probation department, reporting that the hours have been completed successfully. To inform the court fully regarding the nature of the offender's responsibilities and the response of the service recipient, the memorandum frequently details the type of assignment given and the offender's job performance.

Form 1. Referral Form
ALTERNATIVE ASSIGNMENT
PROJECT 20

A COURT REFERRAL PROGRAM IN COOPERATION WITH THE MUNICIPAL AND SUPERIOR COURTS OF SAN FRANCISCO

Co-Sponsored by
San Francisco Probation Department and
San Francisco O.R. Bail Project

Room 213, Hall of Justice
850 Bryant Street
San Francisco, Ca. 94103
Telephone (415) 863-6586
553-1138

REFERRAL TO ALTERNATIVE ASSIGNMENT - PROJECT 20

TO: PROJECT 20
Hall of Justice, Room 442
850 Bryant Street
San Francisco, CA 94103
Telephone: 553-1138

FROM: COURT/JUDGE: _____ / _____

Today's Date: _____

Case Number: _____

Vehicle/Penal
Code Number: _____

Mr. _____
Ms. _____ has been referred to Project 20 today

(PLEASE PRINT-Last, First, Middle Name)

by the above Court and for the above matters.

The Project 20 assignment is to involve _____ hours/days of Community Service in lieu of:

☐ Fines Totaling \$ _____ which defendant states she/he is unable to pay.

☐ Jail time consisting of _____ hours/days.

☐ Other circumstances in which the Court considers a Community service assignment to be appropriate.

A Progress/Completion Report is scheduled for:

DATE: _____

TIME: _____

☐ Defendant is required to appear in Court on above date, for Progress/Completion Report.

☐ Defendant is not required to appear in Court if the Project 20 assignment has been completed and this completion status has been recognized and approved by Project 20.

Defendant understands that it is her/his responsibility to follow through on this Community service referral by contacting Project 20 at once to begin arrangements for all matters involving this assignment. Defendant further understands that failure to follow through with this Court-imposed responsibility may result in the case being returned to Court by Project 20 for further action.

The Court looks forward to this defendant taking every available opportunity to render a useful service to her/his Community through Project 20.

Defendant Address: _____

City, State, Zip Code: _____

Area Code/Telephone: _____ / _____

Form 2. Project 20 Personal Information Sheet

PLEASE PRINT

NAME

PLEASE PRINT

ADDRESS, CITY, ZIP CODE

PHONE

AGE

DATE OF BIRTH

EDUCATIONAL LEVEL:

DO YOU HAVE A VALID CALIF. DRIVER'S LICENSE?

VIOLATION:

COURT DEPT:

ARE YOU WORKING NOW? ☐ yes ☐ no If no, how are you supporting yourself?

ARE YOU SEEKING WORK? ☐ yes ☐ no Do you support any dependents?

WORK BACKGROUND:

DO YOU HAVE ANY PHYSICAL LIMITATIONS: ☐ yes ☐ no IF YES, PLEASE DESCRIBE:

AND GIVE DOCTOR'S NAME, ADDRESS AND PHONE NUMBER:

DO YOU HAVE ANY SKILLS YOU WOULD LIKE TO CONTRIBUTE IN YOUR PLACEMENT?

IN THE MUNICIPAL/SUPERIOR COURT IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

The below named defendant having appeared in Department _____, and having the traffic or other violations alleged to have been committed adjudicated, the defendant states as follows:

1. That defendant understands that failure to appear as scheduled or failure to follow the reasonable direction of the supervising official for the designated agency will result in readjudication of the sentence of the Court.
2. I waive any and all claims for accident or injury or compensation of any nature growing out of said work as against said Municipal/Superior Court, its judges and attacheds, the above named agencies, their officers, agents and employees, the City and County of San Francisco or the State of Calif.

DATED: _____

(Defendant signature)

Form 3. Project 20 Procedures

Notice to Project 20 Referrals:

Referral to Project 20

The Court has referred you to Project 20. Drop in to the office, Room 213. Hall of Justice, 2nd floor.

Intake Procedures

At the Project 20 office, you will be given an intake form to fill out and a Court waiver to sign. You will be scheduled to return for an interview, at which time your Project 20 placement will be planned.

Assignment Placement

Report to your interview at Project 20 on the day and time assigned to you. Be on time for your interview. Project 20 staff will discuss with you the place and activity you will be involved with your community service assignment.

Responsibilities at Placement Site

You will discuss your duties and assignment schedule with your supervisor at your site. If you cannot be in for work on your scheduled days, please keep in touch with your supervisor. If there are any problems that your supervisor cannot help you with, you should contact your interviewer at Project 20.

Return Reports to Court

The Court will request that you return to Court for a Project 20 progress/completion report. This date and time will be set by the Judge at the time you are referred to Project 20. You will be expected to return to Court as ordered for this report, unless the Judge waives your appearance.

WARNING

Failure to appear in Court for any Court ordered report may result in your future arrest.

Problems with your assignment or delays in following through with your assignment must be reported to Project 20 at once.

I have read and understood the above statements: _____
(assignee signature)

(Project 20 staff)

I have read and understood the above statements: _____

(This portion will be attached to assignee's file) date: _____

Form 4. Project 20 Individual Progress Sheet

NAME: _____

DATE REFERRED: _____ COURT: _____

CHARGES: _____ CASE #: _____

FINES: _____ HOURS DUE: _____

INTERVIEW DATE: _____ TIME: _____

PROBATION OFFICER: _____ P.O.'s #: _____

PLACEMENT SITE: _____

DATE PLACED: _____ ADDRESS: _____

PHONE: _____ CONTACT PERSON: _____

ASSIGNMENT ACTIVITY: _____

SCHEDULED COMPLETION/COURT DATE: _____ TIME: _____

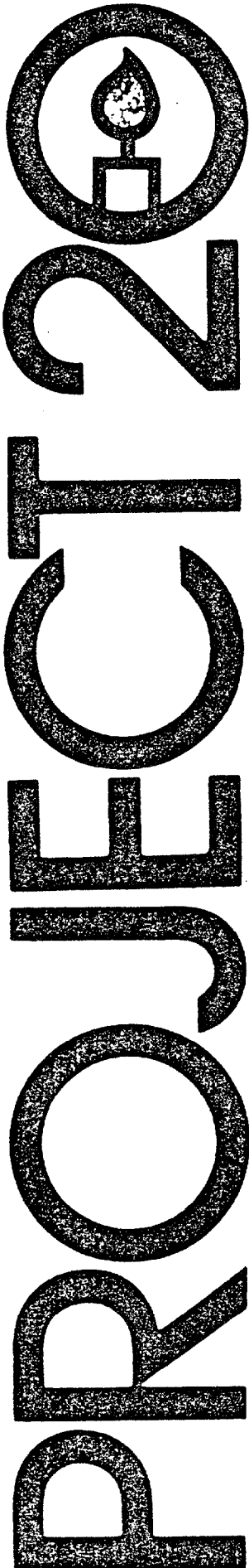
EXTENSION: a. _____ d. _____

b. _____ e. _____

c. _____ f. _____

COMPLETION STATUS: _____ DATE: _____

Ct. date	White	Time	Extension
in Cal.	card	sheets	notice sent:
_____	_____	sent	_____ Client
			_____ Site
			_____ P.O.



Form 5. Project 20 Medical Release

ALTERNATIVE ASSIGNMENTS

in cooperation with
the San Francisco courts and
The Adult Probation Department

TO:

_____ has been referred by the San Francisco
Court to contribute _____ hours in a community service assignment,
as a condition of court of supervised probation.

In order to effectively place _____ we are
requesting information from you on the extent of physical
activity this person can engage in.

Please advise us of any physical or mental limitations imposed
upon this person.

PROJECT 20 STAFF

I permit Project 20 to inquire into the status of my health, in
order to plan my Project 20 assignment. I also permit my
physician to release to Project 20 information which will assist
in my community service placement.

(Signature)

Form 6. Site Referral Sheet

Director
863-6585 or 553-1138
Hall of Justice - room 213
San Francisco, California 94103

TO: _____ DATE: _____

Please remember that you are giving community service during this Court assignment. You are requested to be at your assignment on time, be reliable and useful. If you have any problems, let your agency supervisor or Project 20 know about them, so that they can be straightened out. Please call Project 20 as soon as you have completed your assignment. If you have any questions about your community service work, either now or in the future, please contact Project 20.

The agency to which you have been referred is:

AGENCY: _____ ADDRESS: _____

CONTACT PERSON: _____ TELEPHONE: _____

your appointment date is scheduled for: DATE _____ TIME: _____

TOTAL HOURS DUE: _____ COMPLETION DATE: _____

COURT PROGRESS/COMPLETION REPORT DATE: _____ DEPT.: _____

INTERVIEWER: _____

Form 7. Information Sheet

ALTERNATIVE ASSIGNMENT - PROJECT 20
HALL OF JUSTICE
850 Bryant Street - Room 213
San Francisco, California 94103

STAFF: (Director)
(Staff members)

DATE: _____

MEMO TO:

FROM:

ASSIGNEE'S NAME: _____

HOURS DUE: _____ COMPLETION DATE: _____

COURT DATE: _____

- Please:
- 1) Log the hours worked on attached time sheet;
 - 2) Sign for verification with full name and title;
 - 3) Indicate assignment activity performed;
 - 4) Return this form and time sheet to Project 20 upon completion of assignment. (Without verification from you, client will not receive credit for her/his assignment.)
 - 5) Site should keep information pertaining to client's assignment upon completion.

ASSIGNMENT ACTIVITY: _____

COMMENTS: _____

I hereby certify that the above named client has successfully completed

_____ hours service with this agency.

DATE: _____

Supervising Official

Title

_____ hours to complete

ALTERNATIVE ASSIGNMENT - PROJECT 20
HALL of JUSTICE
850 Bryant Street - Room 213
San Francisco, California 94103

Authorized signature, site staff personnel

[illegible][illegible][illegible]

Form 8. Sign-In Sheet

Form 9. Hearing Information Sheet

MEMORANDUM TO:

FROM: PROJECT 20
850 Bryant Street, Room 213
San Francisco, CA 94103

DATE:

ASSIGNEE NAME: _____ TOTAL HOURS: _____

SUMMARY:

_____ has been in Court on
_____. As of that date, the Project 20
assignment has been:

☐

terminated and returned to Court.

☐

COMPLETED

☐

extended to a new completion date which is:

_____. Court appearance: _____

☐

an additional _____ have been added to this
assignment, bringing the total hours due to:

_____.

Please call us if you have any questions or comments.

Thank you.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People of the State of Illinois (or) County of Cook,

Village, City, Town of

v.

Case No.

IR No.

IBI No.

Court Branch No.

Defendant

ORDER OF SENTENCE OF CONDITIONAL DISCHARGE WITH MANDATORY COMMUNITY SERVICE

The defendant having been adjudged guilty of committing the offenses enumerated below:

☐ Public Act 83-204 - Second conviction for DUI ☐ Public Act 83-206 - Driving on a revoked or suspended license.

IT IS ORDERED that the defendant be and is hereby sentenced to Conditional Discharge for a period of one (1) year with a return date of

IT IS FURTHER ORDERED that the conditions of the Conditional Discharge Sentence are as follows:

1. That the defendant shall not violate any criminal statute of any jurisdiction.
2. That the defendant shall report to the Community Services Sentence Office of the Sheriff of Cook County, Room 900-A, County Building, 118 North Clark Street, Chicago, Illinois on

(NOTE: Schedule Sheriff's report day as follows with a minimum 7 days from the date of sentence. District 1 - Monday, District 2 and 3 - Tuesday, District 4 and 5 - Wednesday, District 6 - Thursday.)

3. That the defendant shall perform days of Community Service under the supervision of the Sheriff of Cook County at the time and place in the discretion of the Sheriff.
4. That the defendant shall complete Community Service and report to the Court on
19. . . . and show proof of successful completion of the Community Service Sentencing Program.
5. That the defendant shall refrain from possession of any firearms or any other dangerous weapons.
6. That the defendant shall pay for, participate in, and successfully complete Level III of Alcohol and Drug Education Services (A.D.E.S.). You are ordered to telephone the A.D.E.S. (266-7571) within 48 hours of receipt of this order, to schedule an appointment to begin Level III. Office hours: 9:00 a.m. to 4:00 p.m. Monday through Friday.

Dated:

Enter:
Judge Judge No.

I ACKNOWLEDGE RECEIPT OF THIS DOCUMENT SETTING FORTH THE SPECIFICATIONS AND CONDITIONS OF THE ORDER AND UNDERSTAND THAT A FAILURE TO FOLLOW THESE CONDITIONS COULD RESULT IN A REVOCATION OF THE ORDER AND RE-SENTENCING UP TO THE MAXIMUM PENALTY FOR THE CRIME FOR WHICH I AM GIVEN THIS ORDER.

SIGN:
Defendant

Defendant's Phone

Defendant's Address

Defendant's Birthdate

Copies to: Defendant
Social Service Department, 9th Floor, 2650 S. California, Chicago, 60608

MORGAN M. FINLEY, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

Case No. _____
Courtroom No. or
Location _____
Court Return Date _____

COMMUNITY SERVICE SENTENCE PROGRAM

WORK CONTRACT

I, _____, have read and understand that
as a community service worker:

1. I am to work _____ days without pay.
2. I am to report on _____ at _____ to _____
Date Time Job Supervisor

Job Site Address

to begin my job assignment: 8 hours per day, on _____ day(s)
per week.

3. My job supervisor will keep track of my hours and will evaluate my performance.
4. I am to be on time to work. I am to call both my job supervisor at _____ (phone) and the Public Service Employment Office at _____ (phone) if I am ill or injured and unable to work. I understand that one excused absence can be made up. A SECOND EXCUSE ON A SINGLE ABSENCE MAY CONSTITUTE UNEXCUSED CONTEMPT OF COURT, OR GROUNDS FOR REVOCATION OF MY ORIGINAL SENTENCE, FOR WHICH I WILL HAVE TO APPEAR IN COURT AND MAY BE ORDERED TO JAIL.
5. I am to put forth reasonable effort on the job. I MAY BE HELD IN CONTEMPT OF COURT OR HAVE MY ORIGINAL SENTENCE REVOKED FOR FAILING TO DO SO MORE THAN ONE JOB ASSIGNMENT.

DATE _____

SIGNATURE

CSS Program Coordinator

ITEM 3-2
LIST OF PUBLICATIONS ON COMMUNITY SERVICE
(California League of Alternative Service Programs)
San Rafael, California

C ALIFORNIA L LEAGUE OF A ALTERNATIVE S SERVICE P PROGRAMS
R E S O U R C E C E N T E R

PUBLICATIONS AVAILABLE

- | | |
|--|--|
| <p><input type="checkbox"/> ALTERNATIVE SENTENCES
CLASP Monthly Newsletter</p> <p><input type="checkbox"/> 1984 DIRECTORY
California community service sentence programs. For inter-program transfers, etc.</p> <p><input type="checkbox"/> STANDARDS & GUIDELINES FOR PROGRAM OPERATIONS
Includes Program Statistics; Program Cost Effectiveness Analysis; Criminal Justice System Liaison; Annual Program Evaluation; Offender Time Allowance; Offender Monitoring & Reporting Procedures; Program Caseload Size; and Offender Insurance Coverage.</p> <p><input type="checkbox"/> 1983 INDEX OF MEMBER PROGRAM ACTIVITIES
Detailed statistics from 37 programs. Summaries and comparative tables included</p> <p><input type="checkbox"/> COMMUNITY SERVICE BY OFFENDERS
M.Kay Harris, author, 1979.
Comprehensive "How-to" manual</p> <p><input type="checkbox"/> COMMUNITY SERVICE ORDERS:
A REVIEW OF THE BRITISH EXPERIENCE
John Harding, 1980</p> <p><input type="checkbox"/> PROGRAM BROCHURES,
Samples of</p> <p><input type="checkbox"/> PROGRAM NEWSLETTERS
Samples of</p> <p><input type="checkbox"/> PROGRAM FORMS,
Samples of
(specify) _____</p> <p><input type="checkbox"/> OTHER (specify)
_____</p> | <p><input type="checkbox"/> COMMUNITY SENTENCING IN CALIFORNIA:
STATUTES, OPINIONS, AND CASE LAW
Authorizations for community service sentences</p> <p><input type="checkbox"/> INSURANCE SURVEY FINDINGS, 1984
Coverage provided; Accident rates; Resulting litigation, etc.</p> <p><input type="checkbox"/> PUBLIC WORK PROGRAMS:
P.C. 4024.2 IN ACTION
Detailed descriptions of five work-in-lieu of jail programs. Includes cost-effectiveness, program forms.</p> <p><input type="checkbox"/> REPORT OF TECHNICAL ASSISTANCE TO CLASP by ARTHUR D. LITTLE, INC
OJJDP Contract # J-LEAA-005-82
Overview of program fundraising, including Proposal Writing; Cost: Benefit Analysis; Proposal Formats; and Funding Sources.</p> <p><input type="checkbox"/> PROGRAM RECORDKEEPING SYSTEM,
Sample of</p> <p><input type="checkbox"/> CLASP BROCHURES</p> <p><input type="checkbox"/> CLASP FACT SHEET
Membership Information</p> <p><input type="checkbox"/> NATIONAL COMMUNITY SERVICE SENTENCING ASSOCIATION
General Information</p> |
|--|--|

**ITEM 3-3
WAIVER OF LIABILITY
(Cook County, Illinois)**

CASE NO. _____
COURTROOM # _____
OR LOCATION _____
COURT RETURN _____
DATE _____

ACKNOWLEDGEMENT, WAIVER AND RELEASE

I, _____, (hereinafter referred to as the "Defendant/Volunteer"), do hereby acknowledge that in fulfillment of the sentence imposed by the Circuit Court of Cook County, I have agreed to participate in the Community Service Sentencing Program, (hereinafter referred to as the "Program") as set up by the Cook County Board of Commissioners and administered through the Circuit Court of Cook County and the Sheriff of Cook County. Further, in order for me to be accepted for participation in the Program, I acknowledge, understand, and agree to the following conditions of participation:

1. The Defendant/Volunteer does hereby agree to release and forever discharge the County of Cook, the Cook County Board of Commissioners, and their officers, agents, employees, and servants from all actions, suits, debts, sums of money, accounts and all claims and demands of whatever nature, in law or in equity, including but not limited to any and all nature claims for property damage or bodily injury arising out of the Defendant/Volunteer's participation in the Program, and further agrees to waive any and all rights to actions, suits, debts, sums, accounts, and to any and all claims and demands of whatever future, in law and equity arising out of the Defendant/Volunteer's participation in the Program.

2. The Defendant/Volunteer further agrees that the County of Cook, the Cook County Board of Commissioners, their officers, employees, agents and servants shall not be liable under any circumstances for any loss or damage whatsoever, whether direct, indirect, consequential or resultant, including without limitation,

death, personal injury and loss or damage to any property whatsoever arising out of or resulting from or connected with the participation of the Defendant/Volunteer in the Program whether or not such injury, loss or damage is caused by the negligent acts or omissions to act on the part of the County of Cook, Cook County Board of Commissioners or their officers, employees, agents or servants; and further, agrees that all risks in connection with any act or failure to act arising directly or indirectly from the Defendant/Volunteer's participation in the Program are assumed solely, fully, and completely by the Defendant/Volunteer.

3. The Defendant/Volunteer agrees to defend, protest, save harmless, and indemnify the County of Cook, the Cook County Board of Commissioners and their officers, employees, agents and servants from any and all liability, suits, claims, demand, damages, costs and expenses, arising out of or claimed to be arising out of or resulting from or claimed to have resulted from any injury or damage to the person or property of the Defendant/Volunteer or any other person arising out of Defendant/Volunteer's participation in the Program whether or not such injury or damage is caused by the negligent acts or omissions to act on the part of the County of Cook, the Cook County Board of Commissioners, or their officers, employees, agents, or servants.

4. The Defendant/Volunteer understands that he/she is not an employee of the County of Cook, or any agency that he/she may be assigned to, through his/her participation in the Program.

I, _____ state that I have read this entire Acknowledgment, understand all its terms and execute it voluntarily with full knowledge of its significance. In witness whereof, I have executed this Acknowledgment at Chicago, Illinois this _____ day of _____, 1984.

ITEM 3-4
LIABILITY INSURANCE
(State of Virginia)

Virginia Department of Criminal Justice Services

April 12, 1983

Community corrections programs are proving to be a very successful alternative to incarceration in Virginia. The costs for maintaining an offender in a community program are significantly lower than the costs for incarcerating that same offender in a state facility. As these community programs expand, a concern has arisen for the liabilities involved. Unfortunately, there is no clear-cut solution because of the absence of any specific litigation in this area. Nevertheless, there are several potential liabilities and alternative means of protection to be considered by those responsible for such programs.

Clearly the best protection for any of these programs is the exercise of caution in the selection of participating offenders and the type of community service tasks to which they are assigned. Additionally, insurance protection can be purchased to cover those instances which do not involve intentional torts. In this context, it is important to note that many localities with similar programs in other states have explored the insurance resources available and have deliberately chosen to remain self-insured or uninsured. The purpose of this pamphlet is to serve as a guide to the various liabilities which can conceivably, but may not necessarily, arise and to enumerate the insurance alternatives available.

To determine which kinds of insurance are appropriate for your particular program, you must first decide into which of the five categories below your program falls. Once you have done so, it is critical that you discuss the alternatives available with your local city or county attorney and present insurance carrier if you currently have a policy. If, after doing so, you choose to obtain insurance coverage, you will most likely receive the best rates from insurance companies and agents already providing insurance for the other activities of your agency or locality. If your agency or locality should already have the type of insurance necessary, it is strongly suggested that your present insurer have specific knowledge of your participation in the community corrections program.

Where the locality coordinating the community service program has assigned the offender to perform service with or for a nonprofit organization, it is advisable that the locality include in its contract with the nonprofit organization a clause holding the locality "harmless from all claims, suits, and liabilities caused by or resulting from the performance of the offenders" as well as a clause requiring the organization itself to obtain adequate insurance protection. In addition, a Certificate of Insurance should be provided by the local agency allowing thirty (30) days notice of cancellation or non-renewal.

CATEGORIES OF COMMUNITY CORRECTIONS PROGRAMS

I. If your program is one where the offender is not on probation and the offender's only responsibility is to perform certain community services for a local unit of government or for a nonprofit organization, the following liabilities and means for protection exist:

A. In the instance where the offender is injured while performing the community service work, there are two options to consider.

(1) The local unit of government or nonprofit organization may obtain an Accidental Injury Insurance Policy to provide the necessary protection.

(2) If the local unit of government or nonprofit organization has Workers' Compensation Insurance for its employees, the insurer may be requested to extend that coverage to include offenders performing in a community service capacity. If not, the local unit of government or nonprofit organization may obtain a Worker's Compensation Insurance Policy for the single purpose of providing coverage for offenders performing community services.¹

¹ In some states Workers' Compensation Insurance includes the offender as employee; in others it does not. In Virginia there are conflicting views on this issue. The Attorney General of Virginia has ruled in a particular case that criminal defendants who perform services pursuant to a diversionary program for a nonprofit or governmental entity without remuneration are not employees as defined in the Workers' Compensation Act. However, opinions by the Attorney General are advisory only. (See Virginia Code § 2.1-118.) The final authority on such matters is the State Industrial Commission, which has exclusive jurisdiction of "all questions arising under the Workers' Compensation Act." (See Virginia Code § 65.1-90).

- B. To protect itself from third party tort liability claims arising from tortious or criminal acts committed by an offender while performing his community services work, the local unit of government or nonprofit organization supervising the offender may obtain a Comprehensive General Liability Insurance Policy.

II. If your program is one where the offender is placed on probation and, in addition, required to perform certain community services for a local unit of government or nonprofit organization, the following liabilities and means for protection exist:

- A. Where the offender is injured while performing the community service work, the local unit of government or nonprofit organization may obtain an Accidental Injury Insurance Policy to provide the necessary protection.
- B. To provide protection from third party tort liability claims arising from tortious acts committed by an offender while performing his community service work, the local unit of government or nonprofit organization may obtain a Comprehensive General Liability Insurance Policy.

C. To provide protection from third party tort liability claims arising from criminal acts committed by an offender while performing his community service work, there are two kinds of liability and protection to consider:

- (1) The local unit of government or nonprofit organization supervising the offender may obtain a Comprehensive General Liability Insurance Policy.
- (2) If the probation function is administered locally, rather than by the state, the local unit of government may purchase an Errors and Omissions Insurance Policy to cover liability for the professional errors of judgment of its probation officers. If the probation function is administered by the state, the Compass Insurance Company Liability Policy effective July 1, 1982 for state employees provides professional errors and omissions coverage for state employees providing probation services.

III. If your program is one where the offender is placed on probation, conditional or unconditional, there is one protection to consider: to provide protection from third party tort liability claims arising from criminal

acts committed by the offender while on probation.

- If the probation function is administered locally, rather than by the state, the local unit of government may purchase an Errors and Omissions Insurance Policy to cover liability for the professional errors of judgment of its probation officers. If the probation function is administered by the state, the Compass Insurance Company Liability Policy effective July 1, 1982 for state employees provides professional errors and omissions coverage for state employees providing probation services.

IV. If your program is one developed in accordance with the Community Diversion Incentive Act and, therefore, may involve restitution, community services, and probation, the following liabilities and means for protection exist:

- A. Where the offender is injured while performing community service work, there are the same two options available as set forth in paragraph I.A. (1) - (2) above.
- B. To provide protection from third party tort liability claims arising from tortious acts committed by an offender while performing his community service work, the local unit of government or nonprofit organization may obtain a Comprehensive General Liability Insurance Policy.

C. To provide protection from third party tort liability claims arising from criminal acts committed by an offender, there are four kinds of liability and protection to consider:

- (1) The local unit of government or nonprofit organization supervising the offender may obtain a Comprehensive General Liability Insurance Policy.
- (2) If the probation function is administered locally, rather than by the state, the local unit of government may purchase an Errors and Omissions Insurance Policy to cover liability for the professional errors of judgment of its probation officers. If the probation function is administered by the state, the Compass Insurance Company Liability Policy effective July 1, 1982 for state employees provides professional errors and omissions coverage for state employees providing probation services.
- (3) The locality involved may purchase an Errors and Omissions Policy to cover liability for the professional errors of judgment of its local coordinator for the community diversion incentive program and the members of the community corrections resources board.

- (4) The locality may obtain an endorsement to its existing Comprehensive General Liability Policy which extends that coverage to include the members of the community corrections resources board and the local coordinator for the community diversion incentive program.

V. If your program is one developed in accordance with the Community Diversion Incentive Act and may involve residential placement in a local facility, as well as restitution, community service, and probation, the following liabilities and means for protection exist:

- A. Where the offender is injured while performing community service work, there are the same two options available as set forth in paragraph I. A. (1) - (2) above.
- B. To provide protection from third party tort liability claims arising from tortious acts committed by an offender while performing his community service work, the local unit of government or nonprofit organization may obtain a Comprehensive General Liability Insurance Policy.
- C. To provide protection from third party tort liability claims arising from criminal acts committed by an offender,

there are four kinds of liability and protection to consider:

- (1) The local unit of government or nonprofit organization supervising the offender may obtain a Comprehensive General Liability Insurance Policy.
- (2) If the probation function is administered locally, rather than by the state, the local unit of government may purchase an Errors and Omissions Insurance Policy to cover liability for the professional errors of judgment of its probation officers. If the probation function is administered by the state, the Compass Insurance Company Liability Policy effective July 1, 1982 for state employees provides professional errors and omissions coverage for state employees providing probation services.
- (3) The locality involved may purchase an Errors and Omissions Policy to cover liability for the professional errors of judgment of its local coordinator for the community diversion incentive program and the members of the community corrections resources board.
- (4) The locality may obtain an endorsement to an existing Comprehensive General Liability Policy to extend its

coverage to include the members of the community corrections resources board and the local coordinator for the community diversion incentive program.

- D. To provide protection from third party tort liability claims arising from tortious acts committed by an offender while placed in a residential program, the public or private entity operating the program and supervising the offender may obtain a Comprehensive General Liability Insurance Policy.
- E. To provide protection from third party tort liability claims arising from criminal acts committed by an offender while placed in a residential program, the public or private entity operating the program and supervising the offender may purchase an Errors and Omissions Policy to cover liability for professional errors of judgment of the program's coordinator, counselors, and other professional staff.

This manual was prepared by the Department of Criminal Justice Services as a guide in addressing how to handle liability in community corrections programs. For further assistance contact the Department at 786-4000.

Section 4

Work Release Agreements and Rules

This section contains two examples of rules developed for offenders on work release programs:

VANDERBURGH COUNTY, INDIANA, WORK RELEASE RULES (Item 4-1)

EL PASO COUNTY, COLORADO, WORK RELEASE RULES (Item 4-2)

Corrections officials are well aware of the detailed and strict rules under which offenders are placed when they are released into the community to pursue employment. The general public, however, may be less aware of the extent

to which such individuals are supervised. Because drunk drivers are not high-risk offenders, they generally qualify for work release assignments. Such work release assignments are particularly desirable for DWIs since these offenders are more likely than other types of misdemeanants to have jobs and to be earning income. Allowing DWI offenders to earn income and pay their residential expenses can reduce the cost to the locality of the DWI correction program.

While the rules provided in these two examples are applicable to work release programs for DWIs, similar rules can be applied to DWIs in non-residential

programs who are under intensive probation supervision or are participating in community service activities (see Volume II in this series).

The third item in this section—**MONTGOMERY COUNTY, MARYLAND, PRE-RELEASE CENTER RESIDENT CONTRACT (Item 4-3)**—is an example of a goal-oriented plan mutually agreed to by the resident and the work release center. The plan not only establishes rules but also commits the resident to undertake certain activities and pursue special programs directed at rehabilitation and assisting him or her to successfully reenter the community.

**ITEM 4-1
VANDERBURGH COUNTY, INDIANA
WORK RELEASE RULES**

VANDERBURGH COUNTY INTENSIVE SUPERVISION PROGRAM

STATE OF INDIANA

VS

CAUSE NO. _____

IN THE _____ COURT
OF VANDERBURGH COUNTY,
INDIANA

You are entering the Court's Intensive Supervision Program and will be under the following guidelines:

- ___1. The first thirty (30) days of your incarceration will be spent in the Work Release section of the county jail. After that time period, you will be furloughed from the jail and placed under house arrest for ninety (90) days except during fixed working hours.
- ___2. You must continue taking Antabuse until the completion of your sentence, unless your physician advises to discontinue Antabuse for medical reasons. You must notify Court officials of any medication you are taking. Also, all physicians that you see must be notified that you are taking Antabuse.
- ___3. You will report to Court officials at an appointed date and time in order to monitor your Antabuse.
- ___4. You must obey all rules and regulations of the Vanderburgh County Work Release Program.
- ___5. You must allow any Police Officer or Officer of the Court to enter your place of residence at any time.
- ___6. You must maintain steady employment.
- ___7. You must maintain steady employment while on the Program. If you are unemployed, you will be required to report to the Vanderburgh County Jobs Program.
- ___8. You must agree to pay \$50.00 per month supervision fee, once you have been sentenced.
- ___9. It is unlawful to use, possess, sell, or dispense any drug identified as a Controlled Substance or Dangerous Drug by the laws of the State of Indiana or visit or frequent any place where any said Controlled Substance or Drug is unlawfully possessed, used, sold, or dispensed.

- ___10. Not possess a firearm or other deadly weapon unless granted permission by the Court
- ___11. It is unlawful to drink alcohol or possess it or visit or frequent any place where any alcohol is sold except drug stores or grocery stores.
- ___12. Shall not engage in any criminal activity or any type of civil disobedience.
- ___13. Remain within the jurisdiction of the Court unless granted permission to leave by the Court or Officer of the Probation Department.
- ___14. Shall obey all requests, orders, or directions, written or verbal, of Program Officers.

ANY VIOLATION OF THE ABOVE RULES WILL BE BROUGHT TO THE ATTENTION OF YOUR SENTENCING JUDGE.

I hereby acknowledge receipt of a copy of this order and fully understand the contents.

Date _____

Participant

Court Officer

WORK RELEASE PROGRAM RULES

Prisoners serving time under the Court's Work Release Program shall, in addition to any other rules imposed by the Sheriff of Vanderburgh County, comply with the following rules:

1. Shall, when released for work, go directly to his/her place of employment and shall, when released from work, return directly to jail. Inmates shall be transported by Work-Release personnel at all times unless otherwise approved by the Work-Release Director.
2. Shall not go home during the hours released for work, nor leave your place of employment without receiving permission of Work-Release Officials of the Vanderburgh Circuit Court.
3. Shall not drink or otherwise use or possess any alcoholic beverages, drugs or intoxicants without written order of a physician.
4. Shall obey all requests, orders or directions, written or verbal, of Work-Release officers or members of Vanderburgh County Sheriff's Department.
5. Shall immediately notify Work-Release officials of the Vanderburgh County Circuit Court if and when his employment is terminated.
6. Any participant being fired from his or her employment will be subject to revocation of Work-Release privileges.
7. Shall immediately notify Work-Release officials of the Vanderburgh Circuit Court of any change in his or her working hours.
8. Shall not leave the jail for any purpose other than to go to work, without getting written or verbal permission from Work-Release officials of the Vanderburgh Circuit Court.
9. Shall when working pay for room and board.
10. All participants on the Vanderburgh County Work-Release Program will turn over all earnings to Work-Release officials in order for the money to be dispensed in the families and participants best interest.
11. Work-Release participants are not allowed to associate with any other Work-Release participant, parolee, or probationer while released from jail unless given permission by Work-Release officials of the Vanderburgh Circuit Court.
12. Shall not operate any type of licensed motor vehicle in any capacity unless permission has been granted by Work-Release Director of sentencing judge.
13. Shall not engage in any criminal activity or any type of civil disobedience.

Failure to obey the above rules shall be grounds for revocation of Work-

Release privileges heretofore given by the court.

Done and ordered this _____ day of _____, 19__.

I hereby acknowledge receipt of a copy of these Work-Release Program Rules and fully understand the contents of same. I further understand that my failure to obey any of the above rules shall be grounds for the revocation of my Work-Release privileges.

Participant

Judge

Witness

Rev. 3-78

ITEM 4-2
EL PASO COUNTY, COLORADO, WORK RELEASE RULES

The ComCor rule system is designed to provide each resident with the maximum opportunity to reside in a safe and orderly environment. To provide the residents with this opportunity, it is necessary that those individuals whose behavior is in non-compliance with the rules and regulations be brought to the attention of the staff and sentencing Judge.

CLASS 1 OFFENSE:

Any of the following rule violations will result in the issuance of a Class 1 report and result in suspension of the work release privilege and notification to the sentencing Judge:

1. Violation of any Federal/State/Municipal law or ordinance (except petty traffic offenses, see Class 3).
2. Making threats to place another person (staff or resident) in fear of bodily injury, or making threats to cause damage to property.
3. Unaccountability:
 - A. Late sign-in: 1 hour up to 3 hours 59 minutes.
 - B. Not at sign-out address (more than one address is acceptable). Change of address must be phoned in.
 - C. At an address to which you are not signed out.
4. Possession or use of drugs/weapons/alcohol or other contraband (see posted list).
5. Escape - Unaccountability in excess of four (4) hours; attempting or planning an escape; leaving the facility grounds without an authorized pass.
6. Sexual activity on grounds.
7. Positive urine sample or failure to provide a sample by the time required.
8. Failure to go to work.
9. Failure to comply with a shakedown inspection:
 - A. Failure to submit to a body search.
 - B. Failure to permit a search of quarters.
 - C. Interference with any form of shakedown inspection (i.e., body search, quarters inspection, common area inspection, etc.).
10. Being intoxicated or under the influence of any drug.

CLASS 2 OFFENSES:

Any violations of the following rules will result in the issuance of a Class 2 Report and an Administrative Hearing within three (3) regular working days. Automatic grounds restriction for all activities except work will accompany the report until such time that a hearing is held. NOTE: If it takes longer than three (3) days (our fault), restriction will be lifted until the hearing is held.

Any accumulation of three (3) Class 2 Reports will result in immediate suspension of the work release privilege and notification to the sentencing Judge.

1. Inter-room visits at anytime.
2. Verbal Abuse - the use of foul, abusive, or defamatory language to a staff member or another resident.
3. Unaccountability:
 - A. Late sign-in 16 minutes up to 1 hour.

B. Failure to sign-in.

C. Improper sign-out:

1. Insufficient address (address must include location of person being visited, street address, phone number).
2. No telephone number (NOTE: It is the resident's responsibility to be accountable. A changed phone number or address will still result in unaccountability).
4. Failure to comply with conditions of Resident/Correctional Specialist contract.
5. Gambling.
6. Failure to take Antabuse.
7. Being late for work without a legitimate reason.
8. One-to-one social association or unauthorized business transaction between staff and residents on or off the premises.

CLASS 3 OFFENSES:

The violation of any of the following rules will result in the issuance of a Class 3 Report. An accumulation of five (5) Class 3 Reports will result in suspension of the work release privilege and notification of the sentencing Judge.

1. Failure to complete a center job assignment. Job assignments will be posted with a time they are to be completed by.
2. Failure to attend scheduled individual or assigned group sessions; failure to attend a scheduled Hearing Board, without a legitimate reason.
3. Unsatisfactory room inspection or personal sanitary inspection. Rooms and personal body must be in as neat and sanitary condition as possible.
4. Possession of any comCor property not issued, i.e. glasses, silverware, dishes, etc..
5. Disobedience of a staff directive (i.e., a staff member must state that "This is a staff directive").
6. Violation of visitation policies (see posted policy).
7. Citations for petty traffic offenses.
8. Automobile use; unauthorized use, improper parking, driving without a license or driving with an expired license, driving without insurance or driving with an expired insurance policy, failure to report an accident or an incident citation.
9. Failure to take prescribed medication, other than Antabuse.
10. Borrowing or lending of another resident's property or money.
11. Picking up mail from mailbox outside ComCor.
12. Being in the Supervision Office without permission, or entering any staff member's office that is unsupervised without permission.
13. Unaccountability, of 15 minutes or less.
14. Leaving lights, heater, air-conditioning, stereo, T.V., etc. on in your room unattended.

ITEM 4-3
MONTGOMERY COUNTY, MARYLAND
PRE-RELEASE CENTER RESIDENT CONTRACT

Once an applicant has met both the Pre-Release Center's eligibility and legal requirements, he or she must develop a program contract prior to transfer to the Center. This contract will become the residents program plan. Successful progress on this plan can result in phase movement, increased freedoms, as well as positive recommendations towards the Court or Parole Commission.

The program plan listed below has been mutually agreed upon by _____ and the Pre-Release Center on _____, 19____.

Pre-Release Center Services/ General Resident Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies/ Tasks to be Accomplished	Time Frames and Initials/Dates When Completed
I. Employment			
<ul style="list-style-type: none"> The Pre-Release Center agrees to provide the services of a Work Release Coordinator. Vocational assessment and guidance, job referral and placement, and work adjustment counseling services are provided. I agree to be actively involved in job seeking activities Monday through Friday between the hours of 8:30 A.M. and 4:00 P.M. I will maintain regular contact with the Work Release Coordinator to locate suitable employment and for vocational training. I agree to work around the Center until I find employment. I agree to make every effort to be employed (or in training) within 3 weeks. Once employed (or in training) I will work industriously and not quit without consulting PRC staff. 	<ul style="list-style-type: none"> Vocational interests/goals: 		
II. Education/Training			
<ul style="list-style-type: none"> The PRC provides educational assessment and placement services. Tutorial, basic ed., GED and college opportunities are available on a full-time or part-time basis. PRC staff help residents coordinate schedules. 	<ul style="list-style-type: none"> Educational Goals: 		

Pre-Release Center Services/ General Resident Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies/ Tasks to be Accomplished	Time Frames and Initials/Dates When Completed
<ul style="list-style-type: none"> • The PRC makes available a Life Skills Training program. This program provides (1) valuable information on work, family, leisure and other life issues; (2) provides the opportunity to re-evaluate one's values and expectations; (3) provides experiences to improve problem solving, interpersonal, and communications skills. • I agree to participate in the Life Skills program by attending and satisfactorily participating in all group sessions. 		<ul style="list-style-type: none"> • I agree to coordinate my schedule so that I am able to attend all of my life skills classes. • I agree to be on time and actively participate in all group sessions. 	
III. Counseling Opportunities			
<ul style="list-style-type: none"> • The PRC staff agree to provide goal directed counseling services to you. • I agree to see my primary counselor at least once a week (starting immediately). • I agree to finalize this program contract plan with my counselor within 21 days after arriving at the PRC. • The Community Release Coordinator will discuss outside counseling services with you, and make a referral to an appropriate community agency. • I will participate in this counseling weekly and I will pay for these services. 	<ul style="list-style-type: none"> • The issues I will work on in the Center counseling are: • Issues I will explore with the CRC for outside counseling are: 	<ul style="list-style-type: none"> • I will make contact with the Community Release Coordinator to discuss outside counseling within 10 days after my arrival at PRC. • I will follow up on the referral provided to me by the Community Release Coordinator. • By the end of the third week at PRC I will have an intake interview appointment at an agreed upon agency. 	<ul style="list-style-type: none"> • I will begin counseling as soon as possible and at least within 6 weeks after arrival at PRC.

Pre-Release Center Services/ General Resident Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies/ Tasks to be Accomplished	Time Frames and Initials/Dates When Completed
IV. Family/Marital/Peer Relationships			
<ul style="list-style-type: none"> Your staff primary counselor will provide information, guidance and needed coordination to your family/spouse concerning the PRC program so that they can understand the program and give you support. I will inform my primary counselor within one week who I want to be my "sponsor" for home visitation passes. When my family/spouse visits the PRC I will introduce them to my primary counselor (if available) and other Unit staff. I will evaluate my past peer choices and develop friendships that are: <ol style="list-style-type: none"> positive, result in constructive activities. 	<ul style="list-style-type: none"> Sponsor: Peer issues: 		
V. Leisure Activities			
<ul style="list-style-type: none"> The PRC will provide a leisure activity program. I will develop new leisure interests. I will participate in at least: <ol style="list-style-type: none"> One "on-going" activity at least twice per rating period. (28 days/4 weeks). Two new leisure activities per rating period. One PRC recreational trip per rating period. 	<ul style="list-style-type: none"> I would like to participate in the following on-going activity: I would like to investigate the following new leisure activities: 	<ul style="list-style-type: none"> I will plan these activities through discussion with my primary counselor and will obtain approval from my Unit Community Release Coordinator. 	

Pre-Release Center Services General Resident Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies Tasks to be Accomplished	Time Frames and Initials/Dates When Completed
VI. Finances <ul style="list-style-type: none"> • The Center staff will provide money management counseling. • I agree to turn in to the Pre-Release Center all of my earnings and pay stubs. • I will pay 20% of my gross earnings for room and board (\$8.00 daily if self-employed). • I agree to pay restitution and/or court ordered payments as determined by the PRC Director. • I will save a minimum of 10% of my net earnings for release. • I agree to purchase the necessary materials, clothing, equipment, and/or services essential to my participation in the PRC program. 	<ul style="list-style-type: none"> • My financial goals at PRC are: • Payments for _____ in the amount of _____ 	<ul style="list-style-type: none"> • I will develop a monthly budget within my first 30 days at PRC and review it with my primary counselor. 	
VII. Behavior <ul style="list-style-type: none"> • The PRC staff will provide orientation to Center's rules, procedures, etc. • I will be drug and alcohol free. • I will be punctual and accountable to the Center for my whereabouts at all times. • I will not verbally or physically abuse another person. • I am familiar with, and agree to abide by, the PRC established rules and procedures as outlined in the PRC Agreement and PRC Guidebook. 			

Pre-Release Center Services General Resident Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies/ Tasks to be Accomplished	Time Frames and Initials/Dates When Completed
VIII. Health			
<ul style="list-style-type: none"> The Center will provide a healthful, balanced, nutritious diet. Education on health, diet and exercise is provided. You are strongly encouraged to limit caffeine, sugar, fats and processed food intake so that you will feel better, experience less internal stress and think more clearly. The Center will provide the opportunity for daily exercise. 	<ul style="list-style-type: none"> I have the following health goals: 		
IX. Community Residency			
<ul style="list-style-type: none"> The Center will provide a number of directories of local housing. I will locate suitable housing prior to release and coordinate these activities with the Community Release Coordinator. 	<ul style="list-style-type: none"> Housing plans: 		
X. Spiritual			
<ul style="list-style-type: none"> PRC provides opportunities for residents to meet spiritual needs by attending the church of their choice if desired. 			
XI. Other Specific Needs/Goals			
<ul style="list-style-type: none"> I will contact the Parole and Probation agent at the Center to coordinate my release plans. Other (Driver's License, Volunteer Work). 			

I understand and agree that if I violate any of the terms of the contract, it may result in termination from the Pre-Release Center Program.

Proposed contract agreement (within 3 days at PRC):

Initial contract agreement (within 21 days after arriving at the PRC):

Resident	Counselor	Date	Resident	Primary Counselor	Unit Supervisor	Date
Monthly Reviews:						
Date:						
Initials:						
Pre-Release Center Services/ General Residents' Agreements	Residents' Personal Needs/Issues/Goals	Specific Strategies/ Tasks to be Accomplished			Time Frames and Initials/Dates When Completed	
• Modifications/Continuations:						

The above is a modification/continuation of my original PRC contract which has been mutually agreed upon and which I will adhere to.

Resident	Date	Counselor	Date
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Section 5

Offender Classification and Screening

Individuals convicted of a drunk-driving offense are generally subject to a pre-sentence investigation (PSI). Part of the PSI is designed to determine the extent to which they may have a drinking problem. The outcome of this investigation is used by the court in sentencing the offender. DWIs who are "social drinkers" will normally be required to attend a short alcohol education course, while those identified as "problem drinkers" are normally required to participate in a treatment program and/or attend Alcoholics Anonymous. A number of screening tests have been used by court personnel to identify problem drinkers. One of the most widely used and validated is the Mortimer-Filkins test. The National Highway Traffic Safety Administration has just issued a new manual entitled "Procedures for Identifying Problem Drinkers: A Screening and Assessment Package for Courts and Treatment Agen-

cies: A Self-Instructional Guide" (1985), which provides detailed procedures for administering the Mortimer-Filkins test. This manual is available from the National Highway Traffic Safety Administration.

If DWI offenders are to be handled effectively in jails, work release centers, or intensive probation and community service programs, it is important that they be correctly classified according to their supervision as well as treatment needs. The documents in this section illustrate classification systems currently in use for assessing the custody needs of offenders in correctional programs.

PRISON CLASSIFICATION (Item 5-1)

This set of forms and scoring guide is taken from the publication *Prison Classification* issued by the National Institute of Corrections (n.d., c), which presents

a model system for prison classification. Reprinted here are the forms for determining the risk presented by an offender. Also included is the form for assessing the special needs of the offender for treatment and other support programs.

WISCONSIN ASSESSMENT FORM (Item 5-2)

This assessment form is from the State of Wisconsin and is reprinted from a monograph entitled *Classification* prepared by the American Correctional Association (1981a). The form attempts to estimate risk and to determine client needs. This particular assessment form is intended to be used with individuals on probation as well as those incarcerated in institutions. It is therefore somewhat more applicable to the DWI, who normally would be in a work release program or on intensive probation, than the forms in Item 5-1.

ITEM 5-1
MODEL PRISON CLASSIFICATION FORM
(National Institute of Corrections)

NAME _____ NUMBER _____
 Last First MI

CLASSIFICATION CASEWORKER _____ DATE / /

1. HISTORY OF INSTITUTIONAL VIOLENCE

(Jail or Prison, code most serious within last five years)

None	0	score
Assault and battery not involving use of a weapon or resulting in serious injury	3	
Assault and battery involving use of a weapon and/or resulting in serious injury or death	7	

2. SEVERITY OF CURRENT OFFENSE

(Refer to the **Severity of Offense Scale** on back of form. Score the most serious offense if there are multiple convictions.)

Low	0	score
Low Moderate	1	
Moderate	2	
High	4	
Highest	6	

3. PRIOR ASSAULTIVE OFFENSE HISTORY

(Score the most severe in inmate's history. Refer to the **Severity of Offense Scale** on back of form.)

None, Low, or Low Moderate	0	score
Moderate	2	
High	4	
Highest	6	

4. ESCAPE HISTORY (Rate last 3 years of incarceration.)

No escapes or attempts (or no prior incarcerations)	0	score
An escape or attempt from minimum or community custody, no actual or threatened violence:		
Over 1 year ago	1	
Within the last year	3	
An escape or attempt from medium or above custody, or an escape from minimum or community custody with actual or threatened violence		
Over 1 year ago	5	
Within the last year	7	

CLOSE CUSTODY SCORE (Add items 1 through 4)

(If score is 10 or above, inmate should be assigned to close custody. If score is under 10, complete Items 5 through 8 and use medium/minimum scale.)

5. ALCOHOL/DRUG ABUSE

None	0	score
Abuse causing occasional legal and social adjustment problems	1	
Serious abuse, serious disruption of functioning	3	

6. CURRENT DETAINER

None	0	score
Misdemeanor detainer	1	
Extradition initiated - misdemeanor	3	
Felony detainer	4	
Extradition initiated - felony	6	

7. PRIOR FELONY CONVICTIONS

None	0	score
One	2	
Two or more	4	

8. STABILITY FACTORS

(Check appropriate box(es) and combine for score.)

Age 26 or over	-2	score
High school diploma or GED received	-1	
Employed or attending school (full or part-time) for six months or longer at time of arrest	-1	

MINIMUM/MEDIUM SCORE (Add items 1 through 8.)

TOTAL SCORE

MEDIUM/MINIMUM SCALE:

Medium Custody	7-22
Minimum Custody	6 or less

INITIAL INMATE CLASSIFICATION ASSESSMENT OF NEEDS

NAME _____ NUMBER _____
Last First MI

CLASSIFICATION CHAIRMAN _____ DATE ____/____/____

TEST SCORES:

I.Q.

Reading

Math

NEEDS ASSESSMENT: Select the answer which best describes the inmate.

HEALTH:

1 Sound physical health, seldom ill	2 Handicap or illness which interferes with functioning on a recurring basis	3 Serious handicap or chronic illness, needs frequent medical care	_____ code
-------------------------------------	--	--	---------------

INTELLECTUAL ABILITY:

1 Normal intellectual ability, able to function independently	2 Mild retardation, some need for assistance	3 Moderate retardation, independent functioning severely limited	_____ code
---	--	--	---------------

BEHAVIORAL/EMOTIONAL PROBLEMS:

1 Exhibits appropriate emotional responses	2 Symptoms limit adequate functioning, requires counseling, may require medication	3 Symptoms prohibit adequate functioning, requires significant intervention, may require medication or separate housing	_____ code
--	--	---	---------------

ALCOHOL ABUSE:

1 No alcohol problem	2 Occasional abuse, some disruption of functioning	3 Frequent abuse, serious disruption, needs treatment	_____ code
----------------------	--	---	---------------

DRUG ABUSE:

1 No drug problem	2 Occasional abuse, some disruption of functioning	3 Frequent abuse, serious disruption, needs treatment	_____ code
-------------------	--	---	---------------

EDUCATIONAL STATUS:

1 Has high school diploma or GED	2 Some deficits, but potential for high school diploma or GED	3 Major deficits in math and/or reading, needs remedial programs	_____ code
----------------------------------	---	--	---------------

VOCATIONAL STATUS:

1 Has sufficient skills to obtain and hold satisfactory employment	2 Minimal skill level, needs enhancement	3 Virtually unemployable, needs training	_____ code
--	--	--	---------------

INITIAL CLASSIFICATION SUMMARY

1. Override Considerations—Custody Classification: _____

- 1. None _____ code
- 2. Inmate Needs Protection
- 3. Temporary Placement—Pending Investigation
- 4. Temporary Placement—Punitive Isolation
- 5. Temporary Placement—Suicide Threat
- 6. Other, Specify: _____

_____ score

_____ I.Q.

2. Custody Level Assignment: _____

- 1. Community _____ code
- 2. Minimum
- 3. Medium
- 4. Close
- 5. Maximum
- 6. Protective Custody
- 7. Other, Specify: _____

_____ score

_____ Reading

_____ Math

_____ code

_____ score

3. Facility Assignment:
(See attached Code List) _____

_____ code

_____ code

4. Program Recommendations:
(In order of priority)

_____ score

_____ code

Program Code Enrollment Code*

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



_____ code

5. Work Recommendations:

_____ score

_____ code

	Work Code	Inmate Skills	Skill Code
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ score

_____ code

_____ score

_____ code

_____ score

TOTAL SCORE

*Enrollment Code
 Program available = 1
 Program currently at capacity/unavailable = 2
 Program needed but does not exist at required custody level = 3
 Inmate refuses program = 4

SEVERITY SCALES
EXAMPLE A*: SEVERITY OF OFFENSE SCALE

HIGHEST: Armed robbery (multiple, threat)
Assault and battery with dangerous weapon (serious injury, risk of death or disfigurement)
Escape (closed institutions)
Explosives (detonation - potential risk of injury)
Kidnapping
Murder
Rape

HIGH: Armed robbery, other (e.g., demand note)
Explosives (possession, transportation)
Extortion
Manslaughter

MODERATE: Breaking and entering
Bribing of public official
Contempt of court
Counterfeiting (over \$20,000 -- manufacturing, passing, possession)
Drugs (between \$5,000 to \$100,000)
Escape (open institution or program -- includes bail jumping)
Property Offense (over \$100,000 -- includes burglary, embezzlement, forgery, fraud, interstate transportation, larceny, theft)
Sexual molestation (no injury)
Theft, motor vehicle
Weapons (possession)

LOW MODERATE: Alcohol law violation
Assault and battery (no injury)
Counterfeiting (\$1,000 to \$20,000)
Drugs (under \$5,000)
Property offenses (\$1,000 to \$100,000)
Solicitation for sexual activity

LOW: Counterfeiting (under \$1,000)
Drugs (own use)
Property offenses (under \$1,000)

SCHEDULE A (Items 1-4)

Maximum	15 or more
Close	10-14
Use Schedule B	9 or under

SCHEDULE B (Items 1-9)

Close	17 or more
Medium	12-16
Minimum	7-11
Community	6 or under

*This scale will appear on the reverse of the Inmate Classification and Reclassification Forms

SCORING GUIDE

INITIAL INMATE CLASSIFICATION - CUSTODY

This instrument is used to determine the recommended custody level for each new admission. A new admission is defined as an inmate entering prison upon court commitment or parole/probation revocation. This form is not to be used for any type of transfer.

1. History of Institutional Violence

Enter the number of points reflecting the appropriate category in the right-hand column. Consider the individual's entire background of incarcerations for five years prior to the current admission date.

Assault and battery is defined as any act toward another person (inmate, correctional officer, staff member, or any other individual) in which bodily contact occurred and injury was attempted, or any act so defined by state statute.

2. Severity of Current Offense

Enter the appropriate number of points in the right-hand column to reflect the severity of the current offense. Refer to the Severity of Offense Scale* on the back of the form for offenses contained in each category. Score the most severe of the offenses for which the individual was sentenced if there are multiple convictions. (See Appendix C for this scale and examples of other severity scales.)

Example: An individual has been convicted of two counts of Breaking and Entering (Moderate severity) and one count of Arson (High severity). Use the severity score for Arson because it is the most severe offense. It receives 4 points, so enter a "4" in the right-hand column.

3. Prior Assaultive Offense History

Enter in the right-hand column the number of points reflecting the severity of prior convictions or parole violations for assaultive offenses. An assaultive crime is defined as any incident in which bodily contact occurred or was attempted, regardless of the degree of actual injury; any offense in which a weapon was present; or any offense so defined by state statute. Refer to Severity of Offense Scale on the back of the form for categories. All offenses in the "Greatest" and "High" categories are assaultive offenses. In the "Moderate" category, the assaultive offenses

* This scale is presented simply as one example of a severity index. It is not necessarily the best available scale and each agency is free to substitute an index more appropriate to its jurisdiction.

are: Firearms Act Violation and Sexual Molestation - only these two should be scored from this group. All other offenses in the "Moderate" category are non-assaultive. Offenses in the "Low Moderate" and "Low" categories do not receive a score.

4. Escape History

Enter the appropriate number of points in the right-hand column to reflect the most severe incident in the individual's escape history. "History" is defined as the last three years of incarceration. Escapes from institutions are also recognized if the inmate was found guilty of the escape or attempt by an institutional disciplinary committee, regardless of the court prosecution and conviction status of the case.

Close Custody Scale

Add scores for Items 1-4 to arrive at the total for this section. If this score is 10 or greater, the individual should be assigned to close custody. If the score is 9 or less, complete the remaining items and use the medium/minimum scale to assign custody level.

5. Alcohol/Drug Abuse

Score "none" if there is no indication of alcohol or drug use, or use that has never caused any emotional or legal problems.

"Abuse causing occasional legal and societal adjustment problems" is defined as the use of drugs and/or alcohol that has resulted in:
(a) less than 6 convictions on misdemeanor charges, or (b) infrequent interruption of employment within the past 3 years but no commitment due to drug or alcohol abuse.

"Serious abuse" is defined as use of drugs and/or alcohol that has resulted in: (a) 6 or more convictions on misdemeanor charges, or (b) frequent interruption or cessation of employment or commitment to jail or a treatment facility within the past 3 years.

6. Current Detainer

Enter the appropriate number of points to reflect the inmates's detainer status. Use felony and misdemeanor definitions from the requesting jurisdiction in treating the detainer.

7. Prior Felony Convictions

Enter the appropriate number of points in the right-hand column to reflect the inmate's prior felony conviction history, not including the present conviction.

8. Stability Factors

All information should be verified if possible before points can be received for these items. Note that scores received on this item are subtracted to obtain the total.

Example: If a person has a GED (-1 point) and was employed (-1 point), then the score on this item is -2. This amount should be placed in the right-hand column and subtracted in the scoring process.

NEEDS ASSESSMENT/PROGRAM RECOMMENDATIONS

The needs within a prison population are nearly as heterogeneous as the general nonprison population. Perhaps because of the challenge of dealing with a wide variety of people, there are many contradictions between theories and subsequent research results about the most effective program for prison populations. Coupled with this lack of guidance is the traditionally low fiscal priority of prisons. Such a situation often results in a scarcity of programs, other than typical prison industries that may be irrelevant to the outside labor market (e.g., making licence plates).

These factors have become increasingly problematic in light of the American Correctional Association and American Bar Association standards concerning classification programming. The standards call for effective screening and reasonable programming in at least the following areas:

1. Education;
2. Vocational training;
3. Mental health intervention;
4. Medical and dental services;
5. Specialized assistance for the aged and infirm;
6. Special placements for the mentally retarded; and
7. Work assignments.

State systems vary in their procedures for screening and placement in the above programs. In many states, a distinction is made between the programs that are available and the security levels appropriate for program placement. Other states have further restrictions for program participation based on cellblock placement. Still others have none of these program capabilities. Controversy has arisen regarding the placement of special categories of prisoners (e.g., protective custody and death row) in basic vocational and educational programs. Yet it may be that such placement is their constitutional right.

The purpose of this report is to propose a classification system for both accurate security designation and effective program placement. Effective programming is an essential aspect of a classification system intended as a correctional management tool. Further, program assignments should be recorded and entered into the agency's information system, so that management can determine whether the placement guidelines are properly followed and whether the programs meet the needs of the inmates assigned to them. (Appendix D presents a guide for assessing inmate program needs.)

The placement of prisoners should reflect a balance between security and inmate needs and program availability. This concept is emphasized because, in states which have ignored prisoner programming needs and focused only on program resources, lawsuits have been filed. Usually this litigation has led to considerable state expenditure to develop at least a minimal level of programming. Obviously, the prison administrator must strike a balance between the resources that can reasonably be provided for these programs, and the legitimate programming needs of the prisoners.

Some research data and recent prison experiences have demonstrated that effective programming may decrease potential for institutional disruption and violence, while lack of such activity may be related to increases in these problems. Although it is impossible at this juncture to identify the full range of cause and effect relationships in prison disturbances, they appear to have occurred more often in areas where prisoners were confined to their cells for long periods of time, possibly in overcrowded conditions, due to deficient programs.

Another consideration in classification is related to the concept of rehabilitation. Regardless of current concerns about appropriateness of this term, clearly many individuals are imprisoned, not simply because of criminal acts, but because of their lack of skills (or other disturbances) which render them nonfunctional in a community. Of paramount concern is the appropriateness of removing a person with these relative disturbances or disabilities to a facility outside their community, and providing the individual with no opportunity to remedy these problems. Paradoxically, the individual is then expected to return to society with a greater ability to function than before confinement.

Proper needs identification is dependent on the presence of valid, reliable information in each area crucial to prison programming. This information should come from a variety of sources including:

1. A standard high quality pre-sentence or admission investigation completed by field-based staff;
2. A standard high quality intake interview administered by staff thoroughly trained in the process;
3. Intelligence and achievement tests administered by qualified staff;
4. Psychological testing and a full psychological or psychiatric evaluation for inmates with suspected psychological disturbance.

The needs assessment instrument incorporated into the proposed model rates the following categories:

1. Educational needs;
2. Vocational needs;
3. Health needs;
4. Mental ability;
5. Psychiatric problems;
6. Alcohol abuse;
7. Drug abuse.

The material presented in Appendix D serves as an essential companion piece to the needs assessment instrument and should be used in guiding decisions on initial classification and reclassification. Also, as with classification placement determinations, inmate input should be sought in the formulation of program recommendations.

ITEM 5-2 **STATE OF WISCONSIN ASSESSMENT FORM**

Department of Health and Social Services
Division of Corrections
Form C-502 (Rev. 8/79)

ASSESSMENT OF CLIENT RISK

Client Name	Last	First	MI	Client Number
Probation Control Date or Institution Release Date (Month, Day, Year)			Agent Last Name	Number

Select the appropriate answer and enter the associated weight in the score column. Total all scores to arrive at the risk assessment score.

		SCORE
Number of Address Changes in Last 12 Months:..... (Prior to incarceration for parolees)	0 None 2 One 3 Two or more	_____
Percentage of Time Employed in Last 12 Months:..... (Prior to incarceration for parolees)	0 60% or more 1 40%-59% 2 Under 40% 0 Not applicable	_____
Alcohol Usage Problems:..... (Prior to incarceration for parolees)	0 No interference with functioning 2 Occasional abuse; some disruption of functioning 4 Frequent abuse; serious disruption; needs treatment	_____
Other Drug Usage Problems:..... (Prior to incarceration for parolees)	0 No interference with functioning 1 Occasional abuse; some disruption of functioning 2 Frequent abuse; serious disruption; needs treatment	_____
Attitude	0 Motivated to change; receptive to assistance 3 Dependent or unwilling to accept responsibility 5 Rationalizes behavior; negative; not motivated to change	_____
Age at First Conviction:..... (or Juvenile Adjudication)	0 24 or older 2 20-23 4 19 or younger	_____
Number of Prior Periods of Probation/Parole Supervision:..... (Adult or Juvenile)	0 None 4 One or more	_____
Number of Prior Probation/Parole Revocations:..... (Adult or Juvenile)	0 None 4 One or more	_____
Number of Prior Felony Convictions:..... (or Juvenile Adjudications)	0 None 2 One 4 Two or more	_____
Convictions or Juvenile Adjudications for:..... (Select applicable and add for score. Do not exceed a total of 5. Include current offense.)	2 Burglary, theft, auto theft, or robbery 3 Worthless checks or forgery	_____
Conviction or Juvenile Adjudication for Assaultive Offense within Last Five Years:..... (An offense which involves the use of a weapon, physical force or the threat of force)	15 Yes 0 No	_____
TOTAL		_____

ASSESSMENT OF CLIENT NEEDS

Client Name	Last	First	MI	Client Number
Probation Control Date or Institution Release Date (Month, Day, Year)			Agent Last Name	Number

Select the appropriate answer and enter the associated weight in the score column. Higher numbers indicate more severe problems. Total all scores. If client is to be referred to a community resource or to clinical services, check appropriate referral box.

REFERRAL SCORE

ACADEMIC/VOCATIONAL SKILLS

-1	High school or above skill level	0	Adequate skills; able to handle everyday requirements	+2	Low skill level causing minor adjustment problems	+4	Minimal skill level causing serious adjustment problems	<input type="checkbox"/>	_____
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EMPLOYMENT

-1	Satisfactory employment for one year or longer	0	Secure employment; no difficulties reported; or homemaker, student or retired	+3	Unsatisfactory employment; or unemployed but has adequate job skills	+6	Unemployed and virtually unemployable; needs training	<input type="checkbox"/>	_____
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FINANCIAL MANAGEMENT

-1	Long-standing pattern of self-sufficiency; e.g., good credit rating	0	No current difficulties	+3	Situational or minor difficulties	+5	Severe difficulties; may include garnishment, bad checks or bankruptcy	<input type="checkbox"/>	_____
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MARITAL/FAMILY RELATIONSHIPS

-1	Relationships and support exceptionally strong	0	Relatively stable relationships	+3	Some disorganization or stress but potential for improvement	+5	Major disorganization or stress	<input type="checkbox"/>	_____
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COMPANIONS

-1	Good support and influence	0	No adverse relationships	+2	Associations with negative results	+4	Associations almost completely negative	<input type="checkbox"/>	_____
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EMOTIONAL STABILITY

-2	Exceptionally well adjusted; accepts responsibility for actions	0	No symptoms of instability; appropriate emotional responses	+4	Symptoms limit but do not prohibit adequate functioning, e.g., excessive anxiety	+7	Symptoms prohibit adequate functioning; e.g., lashes out or retreats into self	<input type="checkbox"/>	_____
----	---	---	---	----	--	----	--	--------------------------	-------

ALCOHOL USAGE

0	No interference with functioning	+3	Occasional abuse; some disruptions of functioning	+6	Frequent abuse; serious disruption; needs treatment
---	----------------------------------	----	---	----	---

OTHER DRUG USAGE

0	No interference with functioning	+3	Occasional substance abuse; some disruption of functioning	+5	Frequent substance abuse; serious disruption; needs treatment
---	----------------------------------	----	--	----	---

Section 6

Suicide Prevention

Suicide is the leading cause of death in penal institutions in the United States. The suicide rate in jails and prisons is more than three times the average for the U.S. population as a whole (Hill and Sanok, 1984). There is some evidence that drunk drivers may be a special risk for suicide because they are more likely to be young, to be inexperienced in a jail setting, and to be serving their first hours of incarceration during a period when they are impaired by alcohol and/or other drugs.

The National Institute of Corrections has established a working group on suicide prevention to develop improved prevention procedures. Information on this activity can be obtained from Mr. Ray Nelson at NIC (see Foreword to this volume). The suicide problem is discussed in detail in Section 4 of Volume II in this series. The two

documents below may be useful to managers of local jails and holding facilities that must accommodate DWIs.

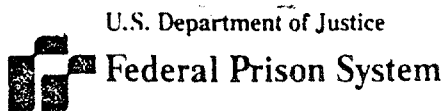
FEDERAL PRISON SUICIDE PREVENTION PROGRAM (Item 6-1)

This document describes the comprehensive suicide prevention program developed by the Federal Prison System. It includes a description of the signs of a potential suicide and gives procedures for dealing with the potential suicide. Some of the actions proposed may not be feasible in a small local holding facility or jail. Nevertheless, many of the procedures described can provide useful guidance to local facilities. Because local jail officials are subject to civil suit if negligence can be demonstrated, it is important that every deten-

tion facility have a program for suicide prevention and that facility staff receive appropriate training.

JAIL SUICIDE RISK SCREENING FORM (Item 6-2)

There is no sure method for identifying the potential suicide. Nevertheless, there are a number of signs that trained corrections officers can watch for. The form in this section is a preliminary attempt to provide a checklist of the inmate statements and behaviors frequently associated with a suicide. This booking interview covers medical, social, and psychological factors associated with suicide. It was developed by Dr. Bruce Danto and has been used by the Santa Clara County, California, Sheriff's Department.



Washington, D.C. 20534

ITEM 6-1
FEDERAL SUICIDE PREVENTION PROGRAM
USDOJ: FEDERAL BUREAU OF PRISONS

OPI : MEDICAL
Number : 6341.1
Date : June 18, 1982
Subject : SUICIDE PREVENTION
PROGRAM

Program Statement

RECEIVED

EFFECTIVE DATE: July 26, 1982

1. [PURPOSE AND SCOPE 549.70. The Bureau of Prisons provides guidelines for the management of potentially suicidal inmates. While such occurrences as suicide attempts cannot be totally eliminated, the Bureau of Prisons is responsible for monitoring the health and welfare of individual inmates, and for ensuring that procedures are pursued to help preserve life. Towards fulfillment of this objective, each Warden shall designate in writing a full-time staff member to serve as Program Coordinator for an institution suicide prevention program.]

The Program Coordinator is ordinarily the chief psychiatrist or chief psychologist. The Warden shall also designate in writing a second knowledgeable individual to "back-up" the Program Coordinator.

2. DIRECTIVES AFFECTED.

a. Directives Referenced.

Psychology Services Handbook.
PS 6000.2, Health Services Manual.

b. Commission on Accreditation for Corrections Standards for Adult Correctional Institutions (Second Edition) - 2-4289, 2-4291, 2-4304.

c. Department of Justice Federal Standards for Prisons and Jails - 5.04, 5.15, 5.16.

d. Rules cited in this Program Statement are contained in 28 CFR 549.70-71.

3. POLICY. Each Bureau of Prisons institution will implement a suicide prevention program which, at a minimum, conforms to the procedures outlined in this Program Statement.

4. [SUICIDE PREVENTION PROGRAM 549.71. The Program Coordinator shall ensure that the institution's suicide prevention program contains the following elements:

a. Identification - Staff at each institution shall be trained (ordinarily by psychology services personnel) to recognize those signs exhibited by an inmate that may be indicative of a potential suicide.]

All new admissions will be screened by a trained Physician's Assistant (PA) within 24 hours of admission to the institution for both obvious and subtle signs of a potential for suicide. Except for inmates confined at Metropolitan Correctional Centers or in federal detention units, psychological staff will conduct a second,

[Bracketed Italics - Rule]

Regular Type - Implementing Information

more comprehensive appraisal ordinarily within 14 days of the inmate's admission to the institution. In facilities without a full-time psychiatric or psychological staff, the appraisal will be handled by the Hospital Administrative Officer or full-time physician (as specified in writing by the Warden) in consultation with a contract psychiatrist and/or psychologist; the individual selected will function as Program Coordinator.

A suicide prevention program is particularly important in facilities housing pre-trial inmates. However, because of the high rate of admissions and short length of stay in MCCs and detention units, the appraisal function in these settings will be performed only on suspected suicidal individuals. Ordinarily, the PA refers these individuals to the Program Coordinator.

While initial identification of a potentially suicidal inmate often may be made by medical or mental health staff, a potential suicide may also be tentatively identified by other correctional staff based on their interactions with inmates. Consequently, it is important that all personnel be trained for signs indicative of a potential suicide. Staff should exercise care in making this determination to prevent manipulative inmates from using this policy to undermine justifiable security concerns.

(1) Obvious Signs of a potential suicide include:

- (a) Talking about suicide to staff or other inmates;
- (b) A recent record of a prior attempt at suicide;
- (c) Puncture or slash marks;
- (d) A recent or current problem accompanied by depression or expressions of hopelessness.

(2) Subtle Signs of a potential suicide include:

- (a) Sudden change in mood either from depression to elation or calmness, or from calmness to depression;
- (b) Sudden change in habits (e.g., neglects basic hygiene);
- (c) Significant weight loss;
- (d) Vague references to death, such as: "I won't be here for that;"
- (e) Knowledge of a sudden, unexpected crisis among members of the inmate's family (contained in a letter or learned about during a visit);
- (f) Giving away possessions to other inmates; and
- (g) Talks in flat, emotionless tone--as if the inmate doesn't care about anything.

A typical profile among inmates who kill themselves is: a separated, divorced, or

June 18, 1982

widowed, unemployed, white male between 19 and 24 years old (or over age 45). He is in poor health (may have a history of nervous or mental disorder) and has a history of having made previous attempts. The individual is not a holdover, does not abuse drugs but may be on medication in connection with a history of mental disorder. He kills himself after having been incarcerated for either a short time (usually less than three months) or more than two years. He kills himself while in segregation, between the hours of midnight and 9:00a.m., by hanging (90% of Bureau of Prisons cases).*

In addition, the potential suicide is often a more violent and assaultive person; more likely to: (1) have used weapons in the instant offense, and (2) to have assaultive-type infractions for which a sanction was received.

Among suicidal inmates without a previous attempt (acute cases) there was a precipitating event preceding the current suicidal act, although this was not always known to staff. Among prisoners who have previously attempted suicide (chronic cases) there was no obvious precipitating event. If the acute case can be assisted through the crisis (such as loss of a loved one or separation from family) the prognosis is favorable. The chronic case is easier to identify (through records) but more difficult to treat, since the concerns are embedded in a syndrome of behavioral and psychological problems. In either type case, STAFF SHOULD NEVER TAKE LIGHTLY AN OVERT SUICIDAL GESTURE OR HINTS FROM OTHER INMATES ABOUT A POTENTIALLY SUICIDAL OFFENDER.

Suicide attempts are seasonal to some degree. They tend to decrease before, and rise after, holidays and special events (for example, world series, visits). The most dangerous time period is just after commitment or admission to prison--26% of suicides in the Bureau of Prisons occurred after a period of incarceration of less than one month.

[b. Referral - Staff shall immediately refer to the Program Coordinator any inmate who exhibits behavior indicative of a potential suicide. Documentation of the referral shall be placed in the inmate's medical file.]

Once identified, the potential suicidal inmate must be referred to the Program Coordinator. Under emergency situations or during non-routine working hours, the suspected, potentially suicidal individual will be housed in the hospital and placed on suicide watch until seen by the Program Coordinator.

It is important that the referral be made immediately with documentation placed in the inmate's medical file. The inmate's Unit Officer and Unit Manager shall also be informed. These referrals will facilitate prompt attention being paid to monitoring the activities of the potentially suicidal individual and having information available to help forestall any future suicide attempts.

*A hanging victim can be dead in seconds. He dies from brain death due to asphyxiation. It is not necessary to have the feet off the ground; two kilograms of pressure will stop the flow of blood to the brain. Thus, a serious attempt takes very little time and very few trappings--a bed sheet, towel, bandage gauze, pants, or shirt may be used; the victim can tie one end to a sink, an upright bed, or some cell fixture.

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[c. Crisis Intervention - Upon receipt of a referral, the Suicide Prevention Program Coordinator is to immediately initiate appropriate crisis intervention techniques. These techniques shall include, but are not limited to, the following:

(1) Meeting with the inmate;]

Discuss directly with the inmate the concern about being a potential suicide;

[(2) Demonstrating a caring concern; and]

Let inmate know arrangements are being made to help the individual cope with the crisis; and

[(3) Not leaving the inmate unattended.]

To help ensure the health and welfare of the inmate, the inmate is to be monitored.

[d. Coordinator's assessment - If the Program Coordinator determines after meeting with the inmate that the inmate is not potentially suicidal, the Program Coordinator shall state in writing the basis for this conclusion. This document is attached to the initial referral and placed in the inmate's medical file.

If the Program Coordinator determines that there is a potential for suicide, the maintenance procedures given in paragraph e. of this section will be initiated immediately.

e. Maintenance - The Program Coordinator shall arrange for the inmate identified as a potential suicide to be maintained under frequent observation. The Program Coordinator shall also utilize other appropriate maintenance techniques. Examples of such techniques include, but are not limited to, immediate reassignment of housing, increased contact with those staff members with whom the inmate has developed a positive relationship, and the provision of treatment services.]

Prognosis is good if immediate prevention measures are taken. The acute suicidal period is usually of short duration; if the person can be "talked through" the crisis, the likelihood of an actual suicide is significantly reduced.

(1) Hospitalization, when deemed appropriate by the Program Coordinator, shall be arranged with appropriate medical staff. A full hospital in-patient record shall be initiated and appropriately maintained. A private cell or administrative detention should not be used for housing a potential suicide case.

(2) A Psychiatric Evaluation will be obtained (from either a full-time or consultant psychiatrist), except in those cases in which a full-time physician determines it is not needed. The reasoning shall be fully documented in the medical record by the responsible physician when this determination is made.

(3) A Suicide Watch of 15-minute room checks is not sufficient. The

potentially suicidal individual should be under observation at all times. Preferably, this 24-hour watch will be conducted by staff, especially during the acute crisis phase. However, if the Warden specifies in writing that sufficient staff are unavailable for this function, the Program Coordinator may select from a previously trained cadre of inmates one or more "companions" (see page 6, section g.(2)) for the suicidal inmate.

Care should be exercised in selecting inmates trained to function as "companions". Individuals chosen should be capable of using sound judgment, and have staggered release dates, so that there will be a trained companion available.

(4) Relationships that the suicidal inmate has developed with staff members should be utilized. That is, the Coordinator should arrange to have personnel with whom the inmate has established the best relationship see the individual on a regular basis during the time when the prisoner is a high suicidal risk.

(5) Treatment cues include:

- (a) Recognize that the "pain" is real to the inmate;
- (b) Try to develop realistic hope in the potential victim;
- (c) Use active, directive treatment approaches initially, but also listen;
- (d) Let the potentially suicidal inmate "latch onto" the therapist, establish contact, then set up future appointments; and
- (e) Remember that most potential suicides are "at risk" after they start to seem better; DO NOT TERMINATE SESSIONS TOO SOON!

[f. Documentation - Staff shall document in the inmate's medical file all efforts made on behalf of the potentially suicidal inmate.]

The documentation is to include:

- (1) The initial report of possible suicide attempt entered in the Unit Officer's log;
- (2) A similar notation in the Correctional Supervisor's log (after being notified by Unit Officer);
- (3) An initialling of the unit log report by the Unit Manager and the Unit Officer;
- (4) Placement of a copy of the referral form to the Suicide Prevention Program Coordinator in the inmate's medical file;
- (5) A full report by the Coordinator to both the central file and the Warden of every prisoner placed on formal suicide watch; and

(6) A final report by the coordinator (placed in the medical file) describing the resolution of the suicide crisis. This report is to be written within five days after the situation has ended.

In the event that a suicide does occur, the Program Coordinator will prepare a memo to the Warden, with copies to the inmate's central file and the Regional Director, describing the circumstances and the efforts made to prevent the suicide.

[g. Training - The Program Coordinator shall ensure that both staff and selected inmates are provided training in suicide prevention techniques. Staff shall receive this training as part of their annual refresher training. Selected inmates shall be trained as "companions", to perform specified functions in helping to monitor suicide-prone inmates. Inmates selected as "companions" shall receive compensation for time spent monitoring a potentially suicidal inmate.]

Training of both staff and selected inmates is a critical aspect of the suicide prevention program. It is imperative that emphasis be given to the seriousness of potential suicide as an institutional reality.

(1) Staff training in suicide prevention will be part of each institution's annual refresher training with particular emphasis being given to Physician Assistants and Correctional Counselors. The session(s) will be conducted by the Psychology Department (or a contract psychiatrist/psychologist). The training should include films, realistic simulations of inmate suicides, and role playing sessions.

(2) Inmates will be trained by the Psychology Department to function as "companions"--a type of "buddy system". The Program Coordinator will be responsible for having a trained cadre available. Inmates selected and trained to perform this function shall receive compensation (Performance Pay) when their services are utilized.

(a) The role of the trained "companion" is to provide frequent monitoring of a highly suicidal inmate at those times when sufficient staff are unavailable.

(b) The "companion" will be situated so as to have visual and verbal interaction, but will have no physical contact with the potentially suicidal person during the crisis period.

(c) The "companion" will be provided with a means to contact staff immediately should the suicidal inmate plan or make a suicide attempt.

(d) The decision to select, assign, and remove a "companion" rests with the Program Coordinator.

(e) In order to provide round-the-clock observation at those times when the potentially suicidal person is not engaged in other aspects of the suicide prevention program, it may be necessary to assign several "companions" and to follow an 8-hour shift pattern.

5. INMATES IN SPECIAL HOUSING UNITS. Staff shall immediately refer to the Program Coordinator any inmate in administrative detention or disciplinary segregation status who exhibits behavior indicative of a potential suicide. If the Program Coordinator determines that there is a potential for suicide, the maintenance procedures described in paragraph 4(e), page 4, are to begin. Where appropriate, the Program Coordinator may arrange for an inmate identified as a potential suicide to be removed from disciplinary segregation status prior to completion of the inmate's disciplinary segregation sanction. Once the likelihood of an attempt at suicide has passed, the inmate will be expected to complete service of the disciplinary segregation sanction. The inmate may be released from this requirement (complete service of the disciplinary segregation sanction) where the IDC finds that the completion of that sanction is no longer necessary to regulate the inmate's behavior within acceptable limits or for fulfilling the purpose of punishment or deterrence which initially resulted in the inmate's placement in disciplinary segregation.

6. TRANSFER OF INMATES TO OTHER UNITS OR INSTITUTIONS. One problem in identifying a potential suicide victim is addressed by documenting every suicide attempt, thereby noting the potential for a future problem. Documentation in the inmate's central file should include: the type of act; the source of information concerning the inmate's inclination to suicide; and the date, place, time, and nature of any precipitating event. This data should be placed in the medical section of the central file. A transfer to another institution will require advance notification by the inmate's Case Manager to the receiving Case Management Coordinator concerning the pertinent suicide information. Program Coordinators shall also telephone their counterpart at the receiving institution to alert them concerning the inmate's suicide potential.

7. ACTION.

a. Each Bureau of Prisons facility will develop written procedures for its suicide prevention program in accordance with this Program Statement.

b. The Warden shall designate in writing either the chief psychiatrist or chief psychologist as Program Coordinator. The Program Coordinator is to implement the suicide prevention program. If a facility does not have a full-time psychiatrist or psychologist, the program responsibility will be assigned to the Hospital Administrative Officer or to a full-time physician with consultation from a contract psychiatrist/psychologist.


c. The Program Coordinator shall schedule staff for periodic suicide prevention training (at least once a year).

d. The Program Coordinator shall select and train inmates as "companions". The inmates selected are to receive compensation (Performance Pay) when they are assigned to monitor suicide-prone inmates.

e. The Program Coordinator is to submit a yearly report by December 31st of each year on the institution's suicide prevention program to the Regional Administrator for Psychology Services. This report is to describe the program's operation over the preceding year and should identify, where appropriate, any procedure(s) which

would help prevent future suicide attempts. By January 31st of each year, each Regional Administrator for Psychology Services should submit a consolidated report on suicide prevention programs within the Region to the Central Office Administrator for Psychology Services.

f. Any deviation from this Program Statement must have written approval by the appropriate Regional Director. A copy of local modifications in procedure is to be forwarded to the Central Office: Attention: Assistant Director, Correctional Programs Division.


NORMAN A. CARLSON
Director

ITEM 6-2
SUICIDE RISK SCREENING FORM
BOOKING INTERVIEW, SHERIFF'S DEPARTMENT
SANTA CLARA COUNTY, CALIFORNIA

Medical, Social & Psychological
Booking Interview Sheet

DATE _____ TIME _____

Inmate Name _____

ID# _____ Sex _____ Marital Status _____ D.O.B. _____

Officer/Deputy Name _____

1) Previous Police Contact (Circle types)

- a. Felony arrest/type _____
- b. Misdemeanor arrest/type _____
- c. Previous jail/lockup-If yes, when and where _____
- d. Probation _____
- e. Imprisonment _____
- f. Parole _____

2) History of Alcohol Use or Abuse

No _____

Yes _____ Types and Amounts (Light, moderate, heavy) _____

Is the subject currently intoxicated? _____

Is subject going through alcohol withdrawal? _____

When did subject last drink heavily? _____

3) History of Street Drug Use

No _____

Yes _____ Types and Amounts (Light, moderate, heavy) _____

Is the subject currently intoxicated? _____

Is subject going through drug withdrawal? _____

When did subject last get high? _____

4) Psychiatric History

None _____

Yes _____

Out-patient treatment (where and when) _____

In-patient (where and when) _____

Use of tranquilizers (what & dose & date of last dose) _____

5) Current Social Stress Experiences (Circle types)

- a. Job loss
- b. Divorce
- c. Marital separation
- d. Death of a loved one
- e. Arrest of a friend or relative
- f. Loss of a business
- g. Financial loss on an investment
- h. Discovery of major health problems
- i. Other _____

6) History of Suicidal Behavior

None _____

Yes _____ Details as to dates, locations, methods, circumstances

Number of suicide attempts _____

7) Treatment of Suicide Attempts (Circle types)

- 1. Hospitalization
- 2. Surgery
- 3. Emergency room contact
- 4. Medication
- 5. Out-patient psychiatric treatment
- 6. All of the above
- 7. None of the above.

8) Inmate's Attitude about Suicidal Behavior (Circle types)

- a. Regret about not being successful
- b. Happy to be alive
- c. Thoughts of death being comforting, solving problems.

9) Family or Friend's History of Suicidal Behavior (Circle types)

- a. None
- b. Parents
- c. Brothers & sisters
- d. Spouses
- e. Children
- f. Romantic interests
- g. Friends
- h. Co-workers

10) Behavioral Symptoms And Signs (Circle types)

- a. Sleep disturbance
- b. Headache
- c. Loss of appetite
- d. Fainting
- e. Blackouts
- f. Nightmares
- g. Bedwetting
- h. Fingernail biting
- i. Easily upset
- j. Crying
- k. Socially withdrawing from people
- l. Increased drinking
- m. Use of drugs or medications
- n. Depression or sadness
- o. Feeling hopeless
- p. Feeling less of a person

11) Physical Observations of Possible Suicidal Behavior (Circle types)

- a. Self-inflicted injury scars on wrists, legs; neck
- b. Shortness of breath
- c. Chest pain
- d. Abdominal pain
- e. Confusion
- f. Loss of consciousness
- g. Unable to answer simple questions
- h. Verbally hostile or abusive
- i. Violent or assaultive
- j. Lethargic - slowing of physical movement

12) Signs of Severe Mental Illness (Circle types)

- a. Hearing voices
- b. Seeing visions
- c. Bizarre behavior
- d. Lifeless reactions
- e. Blank stare to eyes
- f. Non-talkative at all
- g. Unusual suspiciousness
- h. Silly laughter

13) Other Medical History (Circle types)

- a. Diabetes (sugar)-If yes, type medication _____
- b. Epilepsy (falling out spells)-If yes, type medication _____
- c. Cancer _____

- d. Liver disease
- e. Heart disease
- f. High blood pressure
- g. Accidental injuries
- h. Pregnant

14) Interview Observations (Circle types)

- a. Good eye contact
- b. Poor eye contact
- c. Depression
- d. Anger
- e. Uncooperativeness
- f. Understood questions and gave answers well
- g. Good hygiene
- h. Poor hygiene
- i. Heavy smoking
- j. Nicotine stained fingers
- k. Pleasantness
- l. Ability to appreciate being in trouble
- m. Openness in answering questions
- n. Odor of alcohol
- o. Signs of intoxication by drugs or alcohol
- p. Mental confusion
- q. Evidence of a thought disorder (unable to follow questions or keep his thoughts straight and logical)

15) Disposition/Referral

_____ General Population

_____ Emergency Care (Hospital, Detox. Ctr., etc.)

Where? _____

_____ Sick Call

_____ Special Supervision (Detox. cell, audio/visual monitoring, increased cell checks, 24-hour eye contact, etc.)

What type(s)? _____

Why was this inmate not diverted to alternate services outside jail/lockup? _____

Section 7

Treatment and Education Programs

As a result of the increased use of short-term jail sentences for DWIs, special treatment programs are being developed for use with DWI offenders sentenced to incarceration. Some of these programs are implemented in local jail facilities; many are housed in facilities provided by contractors. These new programs differ from the standard DWI programs used in the past. Most of the older treatment programs involved once-a-week group therapy sessions and AA attendance over a period of several months. Inpatient residential programs were rarely used—during the Alcohol Safety Action Programs, only 5% of the problem drinkers were assigned to inpatient programs (Nichols et al., 1980).

The new programs involve a few hours of assessment, education, and treatment for offenders who are assigned to special facilities for short periods of time (one to seven days) during which time they are closely supervised. The shorter programs (one to three days) normally do not permit the offender to leave the site; programs established for somewhat longer sentences, such as 7 to 30 days, may permit leaving the residence during the day for employment or community service.

This section contains four examples of programs designed for one to seven days. Only a rough schedule of activities and a brief description of each program is provided. Individuals who are interested in establishing treatment and education programs for drunk drivers confined in local facilities will want to correspond with the sites described in this section to obtain more detailed information on their programs.

Because this area of treatment for short-term incarceration is relatively new, the development of programs is undergoing rapid change. The schedules given in this section are those provided in initial proposals. It is likely that, with experience, considerable changes have occurred or will occur in these initial plans. In addition, none of these programs has been evaluated for its long-term effect on recidivism.

PIONEER COOPERATIVE AFFILIATION, SEATTLE, WASHINGTON (Item 7-1)

The State of Washington has a mandatory one-day jail sentence for first-offense drunk drivers. The Pioneer Cooperative Affiliation (1980) made a proposal to the County Department of Rehabilitation to establish a 16-bed facility for a one-day alcohol treatment/education program. A portion of their proposal is reproduced in this section.

ORIANA HOUSE, INC., AKRON, OHIO (Item 7-2)

The State of Ohio initially passed a law requiring a two-day jail sentence for first-offense DWIs. Recently, the mandatory jail sentence was raised to three days. Oriana House, Incorporated (n.d.), has established a joint program with the local sheriff's department to operate a residential program in the Glenwood Jail Alcohol Program facility. Participants report at 5 p.m. Thursday and stay through 5 p.m. Sunday.

WEEKEND INTERVENTION PROGRAM, DAYTON, OHIO (Item 7-3)

Wright State Medical School, under the leadership of Dr. Harvey Siegal (1982), has established a program for DWIs to which the courts can send offenders in lieu of incarceration. The program initially began Friday evening and ended on Sunday. Recently, the program has been extended for one day to meet the new Ohio law requiring three-days incarceration. The focus of the weekend intervention program (WIP) is on diagnosis and referral to community programs rather than on treatment or education. Emphasis is on persuading the offender to initiate treatment rather than on making any significant therapeutic progress during the period of residency itself.

PRINCE GEORGE'S COUNTY, MARYLAND, DWI FACILITY (Item 7-4)

The Department of Corrections of Prince George's County is developing a unique DWI facility. This residential work release unit will be principally for DWI offenders, who will be sentenced to 7 to 21 days of incarceration followed by a year of probation supervision. At the time this manual was developed, the facility had not yet opened and program planning was still under way. The material reprinted here gives a brief overview of the initial concept for the program to be conducted during the first week of incarceration.

ITEM 7-1
PIONEER COOPERATIVE AFFILIATION DWI PROGRAM
SEATTLE, WASHINGTON

Location: 5614-17th Avenue N.W., Seattle, Washington.

BACKGROUND

Under the provisions of Substitute House Bill #665, passed in 1979, persons convicted of DWI are required to spend, "not less than two days", in imprisonment. Under the act, this jail sentence shall not be suspended or deferred, except for risk to the offender's physical or mental well-being. In practice, this translates into one day in jail at arrest and booking, and one day in confinement following conviction and sentencing. As a practical matter, the King County Jail facility in the King County Court House building has become so overcrowded it is unable to accept these high turnover, low-risk offenders. The Department of Rehabilitation Services has had to state that it can no longer house this category of offender. This has created a unique situation, one in which either the Courts must ignore the will of the Legislature or in which the Department of Rehabilitation Services must act against the wishes of the Court. This situation has been exacerbated by Federal pressures to relieve the overcrowded and alleged inhumane conditions in the King County Jail. This proposal is an attempt to address these concerns and provide a way to deal with the DWI offender in accordance with the legislative intent and in a humane and cost-effective manner.

FACILITY CHARACTERISTICS/PROGRAM DESCRIPTION

The facility at 5614-17th Avenue N.W., is a courtyard, multiple-dwelling unit for 16 clients of any specific category. It has been used as a Federal Work Release Center and has had an environmental impact statement, community acceptance and proper zoning. At 16 beds, it also exceeds all standards for floor space and living conditions for a jail facility. The physical layout allows it to provide effective minimum security for DWI detainees. Classroom and offices are provided for counseling and training and will keep the prisoners active and involved during the entire period of their stay. (The 13-1/2 hour intensive schedule and client flow is outlined in Appendix "A".) This very tight schedule is designed to meet the mandate for "punishment" and will provide meaningful activity for the DWI prisoners.

GOALS

Basic reasons for DWI behavior will be examined and each offender will be referred to an appropriate Alcohol Information School, as mandated by the 1979 legislation. This "pre-assessment" process will assist the Community Alcoholism Centers (CAC) in their efforts to provide more effective counseling and training to DWI offenders. A raising of awareness at this state of the punishment process can only enhance efforts to combat further DWI behavior by offenders convicted under the act.

8:30 a.m.	INPROCESSING: Pre-Assessment Questionnaire
9:30 - 11:00 a.m.	15-minute Orientation Audio-visual material related to drinking and driving Group interaction
12:30	LUNCH
1:30 p.m.	Awareness discussions on aspects of drinking and driving
2:00 p.m.	Legal, occupational considerations
3:30 p.m.	Developing Addiction Family Trauma
4:30 p.m.	Question-and-answer period Group interaction
5:30 p.m.	DINNER (1 1/2 hours)
7:00 p.m.	A.A. Orientation
8:00 p.m.	Overview of helping programs
9:00 p.m.	Short perception test
10:00 p.m. - 6:00 a.m.	SLEEP
6:30 a.m. - 7:30 a.m.	OUTPROCESSING

ITEM 7-2
ORIANA HOUSE, INC., DWI PROGRAM
AKRON, OHIO

D.W.I. SCHOOL

The D.W.I. School operated by the Oriana House Inc. is a school for persons convicted of D.W.I. Such persons must serve a mandatory three day (72 consecutive hours) jail sentences.

Rather than have each person serve a three day jail sentence, they are placed in the custody of a Sheriff's Deputy for three days (Thursday 5:30 PM until Sunday 5:30 PM) to learn about alcohol, its effects and alcoholism. This satisfies the requirement of a mandatory three day sentence while educating the person about alcohol.

The programming taking place at the facility will be geared toward alcohol education. Enclosed in this program package you will find the complete D.W.I. school curriculum and program.

Persons placed in the facility will be under the supervision of a Sheriff's Deputy 24 hours a day, and alcohol educators and counselors will be conducting the classes.

Upon completion of the program, each person will be given an assessment. Likewise, the Court will be provided with a copy of the assessment and notification that the person has completed the program.

We think the program will provide a needed service to the Courts, the County Jail, and the Akron Correctional Facility, while providing education about the effects of alcohol.

DWI School Daily Schedule

Thursday

5:00 P.M.	Participants arrive at facility.
5:00-5:45 P.M.	Check-in.
5:45-7:00 P.M.	Participants will eat dinner and clean-up.
7:00-10:00 P.M.	Alcohol Program.
10:00 -11:00 P.M.	Prepare for bed.
11:00 P.M.	Lights Out.

Friday

6:00 A.M.	Wake-up.
7:30-9:00 A.M.	Participants will eat breakfast and clean-up.
9:00-11:30 P.M.	Alcohol Program.
11:30-1:00 P.M.	Participants will eat lunch and clean-up.
1:00-5:00 P.M.	Alcohol Program .
5:00 - 7:00 P.M.	Participants will eat dinner and clean-up.
7:00 - 10:00 P.M.	Alcohol Program.
10:00 - 11:00 P.M.	Prepare for bed.
11:00 P.M.	Lights Out.

Saturday

6:00 A.M.	Wake-up.
7:30-9:00 A.M.	Participants will eat breakfast and clean-up.
9:00-11:30 P.M.	Alcohol Program.
11:30-1:00 P.M.	Participants will eat lunch and clean-up
1:00-5:00 P.M.	Alcohol Program.
5:00-7:00 P.M.	Participants will eat dinner and clean-up.
7:00-10:00 P.M.	Alcohol Program.
11:00 P.M.	Lights Out.

DWI School Daily Schedule (continued)

Sunday

6:00 A.M.

Wake-up.

7:30-9:00 A.M.

Participants will eat breakfast and clean-up.

9:00-12:00 P.M.

Alcohol Program.

12:00 -1:00 P.M.

Participants will eat lunch and clean-up.

1:00- 5:00 P.M.

Alcohol Program.

5:00 -5:30 P.M.

Check-out.

DWI School Alcohol Programming

Thursday

- 7:00 - 7:30 P.M. Rules of Program Objectives and Pre-test.
- 7:30-8:30 P.M. Informal Group Discussion, and Breakdown of any Hostility and Negative Energy.
- 8:45-10:00 P.M. Lecture, Film, and Discussion- Alcohol Education.

Friday

- 9:00-10:30 A.M. Film, Social Consequences of DWI, Injuries and Damages.
- 10:45 - 12:00 P.M. Legal Consequences of DWI, Sentence and Bureau of Motor Vehicle Penalties.
- 1:00 - 5:00 P.M. Holistic, Health and Concept of Wellness.
- 7:00 - 10:00 P.M. Movie.

Saturday

- 9:00-12:00 P.M. Family Disease of Alcoholism.
- 1:00-2:00 P.M. Alcoholism Testing.
- 2:15 - 5:00 P.M. Presentation, Chalktalk, and Discussion of Alcoholism and Alcoholism Programs.
- 7:00 - 10:00 P.M. Movie.

Sunday

- 9:00-11:00 A.M. Small Group Discussions, Look at Participants Life-Style and Plans to Change It.
- 11:00 - 2:00 P.M. Individual Assessment.
- 1:00 - 2:30 P.M. Presentation on Breath Analysis Techniques.
- 2:30 - 3:15 P.M. Film- Disease Concept of Alcoholism.
- 3:15-4:15 P.M. Small Group Discussions.
- 4:15-5:15 P.M. Public Commitment by Each Participant and Post Test.
- 5:30 P.M. Check Out.

D.W.I. SCHOOL TESTING

During the course of the DWI School the participants are given three tests. These test results are included in the Progress Report that is sent to the Court after the participant completes the DWI School.

The first is the Pre and Post Drinking and Driving Inventory Test Battery which is concerned with the effects of alcohol on the body, and drinking and driving. This test is standardized on a scale of 0-100 with 100 being a perfect score. The Pre and Post tests are exactly the same test and are designed to see how much knowledge concerning alcohol and driving each participant gains during the DWI School.

The second test is the Alcoholism Personal Inventory. This test has 26 questions that are related to drinking behavior and 12 questions that concern problem areas caused by alcohol, i.e. family, employment, legal etc. Any score of 6 or more areas the 26 question part of the test indicates there may be problems with alcohol. If this is coupled with 2 or more yes answers to the 12 problem area questions, then alcohol is causing problems in this persons life that could benefit from some type of treatment. If the person taking the test does not cooperate and answer the questions honestly, then the test is not valid for that person and the interviewer needs to make the determination of problem drinking and alcoholism.

As the Alcoholism Personal Inventory Test involves two parts, it will be reported to the Court in such a manner starting with the October 2, 1981 class. An example of the way this test result would be reported is 9/3 (score of 9 on 26 question part of the test and score of 3 on the 12 question part of the test).

The third test is the Michigan Alcoholism Screening Test (MAST). This is a 25 question test related to drinking behavior, and is a standardized test which each answer is weighted. A score of more than 5 on this test indicates alcoholism. Remember, if the person does not cooperate and answer the questions honestly, then the test is not valid for that person and the interviewer needs to make the determination of problem drinking or alcoholism.

PROGRAM RULES

1. All participants will be asked to present identification upon entrance to the program.
2. No alcohol or non-prescription drugs, brought or used during the program.
3. No leaving the facility without the permission during the three day period. Any problems, consult a staff member.
4. All prescription medication is to be turned in to the staff while checking in. Prescription medication will be locked up and will be dispensed by staff members during the week-end.
5. Any personal items should be brought with you, including cigarettes.
6. Do not bring any valuables to the program. Any valuables or money should be left with the staff during check-in. Small amounts of money can be kept by the participant, and other monies can be dispensed by the staff during the week-end. The remainder of the valuable will be returned to the participant at check-out.
7. No leaving the room at night, except for the bathroom.
8. No visitation to other rooms after light out.
9. No gambling, fighting, violence or threats of violence toward staff or participants will be tolerated.
10. No outside visitation will be permitted.
11. Car keys must be turned in to the staff during check-in for those participants who drive to the facility. Car keys will be returned by staff during check-out.
12. Anyone appearing under the influence of drugs or alcohol will be removed from the program.
13. A pay phone will be provided for incoming and outgoing phone calls. Please limit your phone calls to ten minutes as others may want to use the phone.
14. Participants are subject to search at the discretion of the staff members.
15. Anyone appearing to be under the influence of alcohol or drugs during check-in will be denied entrance to the program. Such a person shall be refunded ½ of the fee for the D.W.I. School and shall be reported to the court of referral.
16. Food is permitted in the lounge area, class room or dining area only.
17. No smoking permitted in bedrooms.
18. Anyone violating any of the above rules may be removed from the program for appropriate action. Persons removed during the course of the week-end will not be refunded any of the fee for the D.W.I. School.

I _____ HAVE
RECEIVED WITH _____
THE RULES. I UNDERSTAND THEM AND
THE ACTIONS I AM LIABLE TO RECEIVE
FROM THEIR INFRACTION.

ITEM 7-3
WEEKEND INTERVENTION PROGRAM
DAYTON, OHIO

The Weekend Intervention Program is also a third-generation effort. It combines what we have learned about D.W.I. treatment and education, employee assistance programming, and Intervention. The following chart summarizes this merger.

--Figure 1 about here--

Here's how the program works:

Our experience over the past decade has taught us that we must set realistic treatment goals. We have learned that behavioral changes cannot be effected quickly. While cognitive and attitudinal changes may occur in a short time, these do not meaningfully affect behavior. After all, behavioral changes are what we are moving toward. To achieve them, we must be aware of what we can do in a short time. Recognizing these facts, we have structured the following goals for the Weekend Intervention Program:

1. ASSESSMENT/DIAGNOSIS...a key element of effective programming has to be distinguishing the "problem" drinker from the "social" drinker. Research has suggested that about fifty to sixty percent of first-time D.W.I. offenders are problem drinkers. Determining who these are and the severity of their problem is important to the referring agency (i.e., the court). Problem drinkers need to know the extent to which alcohol has affected their lives.
2. THE PROBLEM OF DENIAL...once a problem drinker has been identified, we must deal with his or her denial. This is a vital first step in the treatment/recovery process. Problem drinkers must realize that alcohol (and/or the use of other drugs) is causing the problems in their lives.

D.W.I. SPECIFIC PROGRAMMING

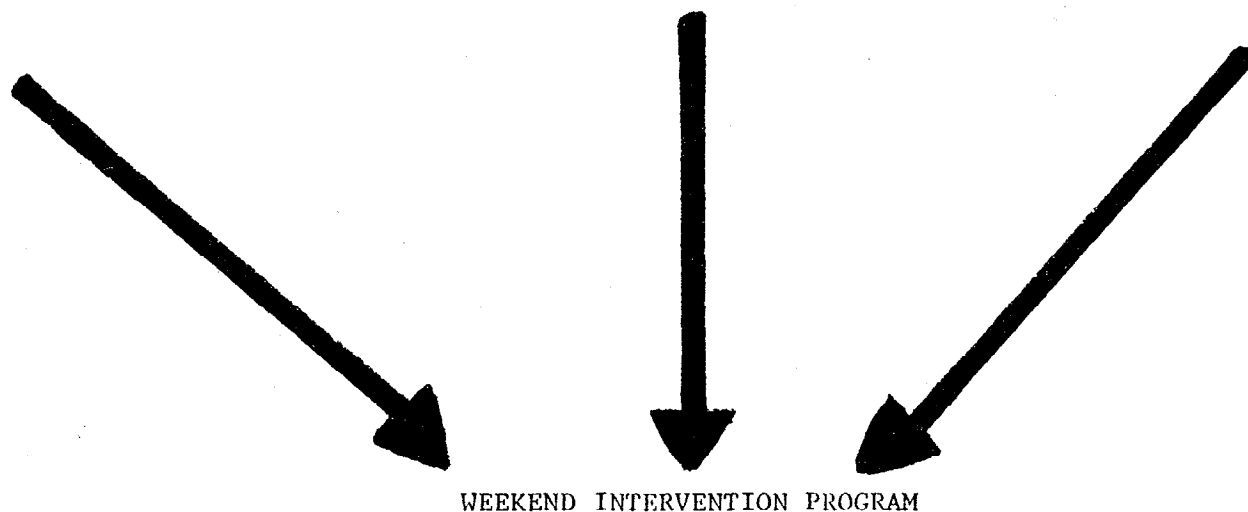
- Case Finding
- Education
- Counseling

INTERVENTION

- Interactional Situation
Maximizing Decisions
- Non-judgmental Confrontation
with Facts

EMPLOYEE ASSISTANCE
PROGRAMMING

- Focus on Behavior
- Identification of Facts
- Set Realistic Goals



-FIGURE 1-

3. THE ISSUE OF MOTIVATION...motivation implies recognition that help is available and reasonable. One need not experience the same kinds of problems again and again.

We realize these goals in the limited time we work with the client. First, assessment and diagnosis: Findings from a medical history, the results of standard assessment tests (the M.A.S.T. or the Mortimer Filkins), the data in a personal history, and clinical observations made in a group and individual counseling sessions provide the basis of a reasonable diagnosis. This approach is better than the simple "one shot" assessment made through either a brief interview with an alcoholism counselor or the results of the standard tests. Moreover, the broad assessment is cost effective when considered in terms of the amount of subsequent treatment that will be required.

Because the brief time allocated for the W.I.P. doesn't allow problem drinkers to change their perceptions of themselves, we do not try to convince anyone that they are "alcoholic" or a "problem drinker." These labels are difficult for people to accept quickly. Instead, we suggest clients are "harmfully involved" with alcohol (and/or other drugs) and encourage them to examine their behavior and situation. By avoiding labels we can focus on what has been happening in clients' lives. Their behavior and situation become the data that the counselors use to change clients' attitudes about themselves and to encourage change.

These three goals make the program a "pre-treatment effort." We recognize that trying to effect a permanent change is futile, especially during the course of a single weekend. We are, however, able to show that a client needs more help. We can prepare them for the service they will receive. The program's three goals lead toward the following four objectives:

1. ALCOHOL EDUCATION...We educate clients about the effects of alcohol on feelings and emotions, and its effects on the family and other social relationships. We use films, case histories, and lectures. Additionally clients receive information about the biomedical effects of alcohol use/abuse and they examine both normal and alcohol-impaired organs.
2. COUNSELING...During a single weekend, each participant receives nearly fourteen hours of intense group counseling. Counseling groups are co-facilitated by professionally credentialed counselors and recovering alcoholic people. We maintain a very high staff-to-client ratio. The counseling sessions assist the client in processing information presented in the educational sessions. The counseling forces the client to look at his own situation. Group dynamics increase the impact of the experience. In addition to group counseling, clients receive one hour of individual counseling.
3. THE HEALTH OR DISEASE MODEL...We stress that alcohol or drug problems are much like other kinds of health problems. Clients must accept responsibility for recovery, avoid new problems, and not be overwhelmed by what has happened in the past. We encourage clients to accept help when it is needed.
4. REFERRAL FOR SERVICE...After the weekend, we refer clients for more service. All data collected during the weekend shapes this referral.

These goals and objectives provide the map from which the actual program emerges. The W.I.P. begins on Friday afternoon when clients arrive

--Figure 2 about here--

at Wright State University School of Medicine, the place where the program occurs. Data collection begins with a brief, non-invasive medical examination and completion of an extensive personal and medical history. Clients complete standard alcohol assessment tests such as the M.A.S.T. After check-in, clients are told what will happen during the weekend. W.I.P. rules and expectations are made clear. After this introduction, a group counseling session begins the weekend, followed by an educational session and another group session.

The Friday session ends at approximately 11 p.m. Clients stay in a motel near campus. When off campus, they are supervised by law enforcement personnel employed by the program.

Clients are awakened early on Saturday morning. From 8:00 a.m. to 11:00 p.m. they participate in rounds of counseling sessions, educational presentations and movies. Activities move quickly with clients not knowing what will happen next. We purposely keep clients off-balance while hammering at the psychological defense structures caused by their involvement with alcohol. Much like an intervention encounter, every aspect of the social environment is tightly controlled. All that happens supports the thrust of the intervention which is: look at your feelings, your experiences in light of the educational presentations and take a hard look at your behavior--are you really satisfied with what you see? Clients begin to make connections between their drinking and unpleasant events in their lives without calling their entire identity into question. For instance, by

FIGURE 2

Weekend Intervention Program

Activity-Time Breakout

<u>DAY/TIME</u>	<u>ACTIVITY</u>	<u>OBJECTIVES/FOCUS</u>
<u>Friday</u>		
4:00-6:30	Registration/Intake	Testing; Administrative Procedures
6:30-7:00	Introduction	Program goals; Rules
7:00-8:15	Small Group	Group-process education What will happen at W.I.P.
8:30-9:00	Alcoholism Movie	
9:00-10:30	Small Group	Experience with "Feeling Level" Experiences with alcohol
10:45	Transportation to Dormitory Facility	
<u>Saturday</u>		
6:45	Rise	
7:30	Transportation to Campus	
8:00-8:45	Breakfast	
9:00-10:15	Alcohol Education	Introduction to "Disease Concept"
10:30-12:00	Small Group	Harmful involvement
12:00-12:30	Lunch	
12:30-1:30	Individual Counseling/ Movie	
1:30-3:15	Alcohol Education	Medical Aspects
3:30-5:00	Small Group	Harmful Involvement
5:00-6:15	Individual Counseling	
6:15-7:15	Dinner	
7:15-8:30	A.A.	Introduction to A.A. steps and traditions
8:30-9:00	Break	
9:00-10:45	Small Group	Obtaining Help
11:00	Transportation to Dormitory	
<u>Sunday</u>		
6:45	Rise	
7:30	Transportation to Campus	
8:00-8:45	Breakfast	
9:00-10:30	Small Group	Plans for Future
10:45-12:00	A.A. Meeting	Dual-lead Meeting
12:00-12:45	Lunch	
12:45-2:30	Individual Counseling	"Prescription for Recovery"
2:45-3:30	Movie	Recovery
3:30-4:00	"Graduation"	

the end of the weekend many clients say to their counselors,

"You know...these people just may be right. The arguments I've had with my wife happen 'cause of my drinking."

"Some of the troubles I'm having at home with those kids happen when I've been drinking."

"That upset stomach I have on Monday and Tuesday has something to do with my partying on Friday and Saturday night."

Others may say the same things to themselves if not aloud. Drinking now changes for most participants. This is not to naively say that abstinence is achieved, but the absolute connection between drinking and difficulty has been made. We are convinced that the intervention process is successful in accomplishing this goal.

The Sunday session begins early. Before 9:00 a.m. clients are back in group counseling sessions. Afterward, they hear about A.A. for the second time. The Sunday group-counseling session is used to tie together many aspects of the program. Clients also receive an extensive individual counseling session in which a treatment plan or plans for additional service are formulated.

Relatives are invited to attend a family session on Sunday. During this session, we offer information about the program. Family members are invited to participate in the clients' recovery process.

During their final individual session on Sunday, the client's are fully debriefed about the counselors' findings and are given the "Prescription For Recovery" which is a detailed plan for future service. The referring court or agency receives a complete assessment on each client. This is a report prepared by the program staff about the progress made, the existence of an alcohol or drug problem and its extent and/or severity. The court learns about recommendations that have been made for additional service.

ITEM 7-4
PRINCE GEORGE'S COUNTY, MARYLAND
DWI FACILITY

2. Counseling

Offenders will be administered a Life Survey Inventory upon entrance into the program. This test focuses upon the effects of alcohol upon different life aspects. This inventory will be used as a basis for counseling.

Offenders will participate in group counseling. Short term residents will focus on the misuse of alcohol as the cause for their DWI arrest. They will be assisted in making behavior changes in order to avoid further alcohol-related problems. Counseling will continue as aftercare upon completion of the residential stay. Due to the brevity of their residence (two to five days) most counseling issues by necessity will be dealt with in aftercare.

Counseling for mid-term and long-term residents will be more intensive. They will explore the effects of alcohol use upon themselves and their families. There will be opportunity for confrontation and learning from their peers. Countermeasures will include discussion about abstinence and use of antabuse.

Although mid and long-term residents will have the opportunity to deal with many issues, they too will be given the opportunity to deal with personal issues when they enter aftercare.

The facility will accommodate female as well as male offenders. As such, provision will be made to handle treatment issues particular to women. This may be in the form of women's counseling group or individual counseling.

Alcoholics Anonymous (AA) will be an integral part of the program. All residents will participate in AA meetings. This introduction to AA will serve as the basis for encouraging offenders to use AA as a long term support system.

Since alcoholism is a family illness, families will be invited to participate in the program. Family education will be offered on Sunday nights. Offender's families will be encouraged to become involved in the treatment process during this phase and when the offender enters aftercare.

Individual counseling will be offered on an as needed basis. While the focus of counseling will be on group process, there are individual offenders who because of certain characteristics may not be able to benefit from group counseling. Other offenders will have specific needs that can best be addressed on an individual basis.

VII. Aftercare/Follow up

The program will recognize that the real success will come after a resident has left the program and returns to the community for treatment. The primary goal of treatment efforts will therefore be geared toward a "pre-treatment effort." The hope is to prepare the resident for the service they will receive within the community.

Mentioned previously, the recommendation to the court will be to have the resident placed on probation for at least one year after completion of his jail sentence with special conditions of continued alcohol treatment.

All residents will have an exit interview prior to their release from the program. The exit interview will consist of diagnosis and assessment of treatment needs, specific community treatment and linkage with probation authorities as well as expectations of probation supervision benefits: (1) weekly in-person contacts/observations; (2) weekly verification of treatment attendance; (3) regular contact with treatment provider; (4) immediate notification to courts of violations; (5) regular recidivism checks.

MODEL PROGRAM

	<u>MON</u>	<u>TUES</u>	<u>WEDS</u>	<u>THURS</u>	<u>FRI</u>	<u>SAT</u>	<u>SUN</u>
9:00 - 11:00 a.m.						Alcohol Education	AA or Church
11:00 - 12:30 p.m.						Group Disc.	Film
12:30 - 1:00 p.m.						← L U N C H →	
1:00 - 2:00 p.m.						← F R E E T I M E →	
2:00 - 3:00 p.m.						← Group Counseling →	
3:00 - 5:00 p.m.						← Alcohol Education →	
5:00 - 6:00 p.m.						← F R E E T I M E →	
6:00 - 7:00 p.m.	———— D I N N E R ————		———— D I N N E R ————		————→		
7:00 - 8:30 p.m.	Alc. Edu.	Grp. Coun.	Alc. Edu.	Grp. Coun.	Evalu. Orient.	A A	Fam. Edu.
8:30 - 9:30 p.m.	GED	Evalu. Orient.	A A	A A	Indiv. Coun.	Film or NA	A A

*Discrete Education and Counseling Groups will be held for short-term, mid-term and long-term residents

Section 8

Offender Fees

In comparison to other types of offenders, the DWI offender is more likely to have a job and to have significant financial resources. The National Highway Traffic Safety Administration stresses in its recommendations to States and communities that, rather than placing an economic burden on local citizens through tax assessments, a maximum effort be made to make DWI programs self-sufficient through fees paid by the offenders themselves. Program funding is discussed in Volume IV of this series.

NHTSA has also developed a guide on self-sufficient funding of alcohol traffic safety programs (NHTSA, 1983b) to assist communities in finding ways to

fund these programs from monies collected from drunk driving offenders. This report can be obtained by writing the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

STATE LAWS ON OFFENDER FEES (Item 8-1)

The National Institute of Corrections (1983a) has prepared a report on the fees charged by the States for probation and parole supervision services. The excerpts of this report contained in this section include examples of State laws on collecting fees from offenders. Also

included are examples of guidelines and policies covering the waiver of fees for offenders who are indigent or have low incomes.

LEGAL ISSUES IN FEE COLLECTION (Item 8-2)

This brief article on the legal issues in assessing fees for correctional services (NIC, 1983a) contains information that should be useful to any community considering such fees. In some jurisdictions, the court may have the power to establish fee programs, but many localities will require State legislation in order to assess a fee for correctional services.

ITEM 8-1
STATE LAWS ON OFFENDER FEES
(Fees for Supervision, National Institute of Corrections)

California

§ 1203.1b. [Payment of probation costs as condition of probation.] (a) In any case in which a defendant is convicted of an offense and granted probation, the court may, after a hearing, make a determination of the ability of the defendant to pay all or a portion of the reasonable cost of probation; and of conducting the presentence investigation and preparing the presentence report made pursuant to Section 1203. The reasonable cost of such services and of probation shall not exceed the amount determined to be the actual average cost thereof. The court may, in its discretion, hold additional hearings during the probationary period. The court may, in its discretion, order the defendant to appear before a county officer designated by the court to make an inquiry into the ability of the defendant to pay all or a portion of such costs. At a hearing, the defendant shall be entitled to have, but shall not be limited to, the opportunity to be heard in person, to present witnesses and other documentary evidence, and to confront and cross-examine adverse witnesses, and to disclosure of the evidence against the defendant, and a written statement of the findings of the court. If the court determines that the defendant has the ability to pay all or part of the costs, the court may set the amount to be reimbursed and order the defendant to pay that sum to the county in the manner in which the court believes reasonable and compatible with the defendant's financial ability. In making a determination of whether a defendant has the ability to pay the court shall take into account the amount of any fine imposed upon the defendant and any amount the defendant has been ordered to pay in restitution.

If practicable, the court shall order payments to be made on a monthly basis as directed by the probation officer. Execution may be issued on the order in the same manner as a judgment in a civil action. The order to pay all or part of the costs shall not be enforced by contempt.

A payment schedule for reimbursement of the costs of presentence investigation based on income shall be developed by the probation department of each county and approved by the presiding judges of the municipal and superior courts.

(b) The term "ability to pay" means the overall capability of the defendant to reimburse the costs, or a portion of the costs, of conducting the presentence investigation, preparing the presentence report, and probation, and shall include, but shall not be limited to, the defendant's:

(1) Present financial position.

(2) Reasonably discernible future financial position. In no event shall the court consider a period of more than six months from the date of the hearing for purposes of determining reasonably discernible future financial position.

(3) Likelihood that the defendant shall be able to obtain employment within the six-month period from the date of the hearing.

(4) Any other factor or factors which may bear upon the defendant's financial capability to reimburse the county for the costs.

(c) At any time during the pendency of the judgment rendered according to the terms of this section, a defendant against whom a judgment has been rendered may petition the rendering court to modify or vacate its previous judgment on the grounds of a change of circumstances with regard to the defendant's ability to pay the judgment. The court shall advise the defendant of this right at the time of rendering of the judgment.

(d) All sums paid by a defendant pursuant to this section shall be allocated for the operating expenses of the county probation department.

(e) The provisions of this section shall be operative in a county upon the adoption of an ordinance to that effect by the board of supervisors. [1980 ch 555 § 1; 1981 ch 234 § 1.]

California (RIVERSIDE COUNTY
Prob. Dept.)

AVERAGE MONTHLY
INCOME (GROSS) _____

MONTHLY PAYMENT AMOUNT

Number of persons supported including probationer

	1	2	3	4	5	6	7	8	9	10
UNDER										
580 -	-	-	-	-	-	-	-	-	-	-
581 - 660	\$5	-	-	-	-	-	-	-	-	-
661 - 740	10	5	-	-	-	-	-	-	-	-
741 - 820	15	10	5	-	-	-	-	-	-	-
821 - 900	20	15	10	5	-	-	-	-	-	-
901 - 980	25	20	15	10	5	-	-	-	-	-
981 - 1,060	30	25	20	15	10	5	-	-	-	-
1,061 - 1,140	35	30	25	20	15	10	5	-	-	-
1,141 - 1,220	40	35	30	25	20	15	10	5	-	-
1,221 - 1,300	45	40	35	30	25	20	15	10	5	-
1,301 - 1,380	50	45	40	35	30	25	20	15	10	5
1,381 - 1,460	55	50	45	40	35	30	25	20	15	10
1,461 - 1,540	70	65	60	55	50	45	40	35	30	25
1,541 - 1,621	75	70	65	60	55	50	45	40	35	30
1,622 - 1,702	80	75	70	65	60	55	50	45	40	35
or										
1,703 - greater										

Florida

945.30 Payment for cost of supervision and rehabilitation.—

(1) Any person under probation or parole supervision, except a person on probation or parole within or without the state under an interstate compact adopted pursuant to chapter 949, shall be required to contribute no less than \$10 or more than \$50 per month as decided by the sentencing court, to a court-approved public or private entity providing him with supervision and rehabilitation. Any failure to pay such contribution shall constitute grounds for the revocation of probation by the court or the revocation of parole by the Parole and Probation Commission. The Department of Corrections may exempt a person from the payment of all or any part of the foregoing contribution if it finds any of the following factors to exist:

(a) The offender has diligently attempted, but been unable, to obtain employment which provides him sufficient income to make such payments.

(b) The offender is a student in a school, college, university, or course of vocational or technical training designed to fit the student for gainful employment. Certification of such student status shall be supplied to the Secretary of Corrections by the educational institution in which the offender is enrolled.

(c) The offender has an employment handicap, as determined by a physical, psychological, or psychiatric examination acceptable to, or ordered by, the secretary.

(d) The offender's age prevents him from obtaining employment.

(e) The offender is responsible for the support of dependents, and the payment of such contribution constitutes an undue hardship on the offender.

(f) There are other extenuating circumstances, as determined by the secretary.

(2) In addition to the contribution required under subsection (1), the department shall provide a maximum payment of \$10 per month for each probationer who is contributing \$10 per month to the court-approved public or private entity providing him with supervision or rehabilitation. The department shall make such payment to the court-approved public or private entity providing supervision to the offender under this section. Such payment shall be implemented through a contract to be entered into by the Secretary of Corrections and the public or private entity. Terms of the contract shall state, but not be limited to, the extent of services to be rendered by the public or private entity providing supervision or rehabilitation. In addition, the public or private entity shall supply the department with a monthly report documenting the acceptance of each offender placed under its supervision by the court, documenting the payment of the required contribution by each offender under supervision or rehabilitation, and notifying the department of all offenders for whom supervision or rehabilitation shall be terminated. Supervisory records of the public or private entity shall be open to inspection upon the request of the department or its agents.

History.—s. 18, ch. 74-112; s. 2, ch. 76-238; s. 1, ch. 77-321; s. 1, ch. 77-401; s. 1, ch. 78-368; s. 100, ch. 79-1.

Florida

GUIDELINES FOR WAIVERS

A. All waivers must have beginning and ending dates of supervision as well as beginning and ending date of waiver on the waiver form. Ending dates of waivers shall not extend beyond supervision term. There are not open ended waivers.

1. Ninety days of unemployment should be the limit of this exemption including 30 days of unemployment and 60 days wait. Exceptional situations can alter this, but pressure should be continued by the officer on the case to find employment. Inability to secure employment must be verified through contact with Florida State Employment Services and/or Offender Job Bank.

To qualify for waiver consideration under "insufficiency of income criteria" an offender's individual income must be less than \$3,900 per year. (Include all sources of income.)

2. Participation in educational pursuits do not automatically qualify an offender for waiver consideration. Total income, less educational expenses, provides a figure for consideration in the "insufficiency of income category" as outlined previously. The officer's verification is sufficient to meeting educational certification requirement. (For example, if parental support is provided the person should be required to pay.)
3. Observable handicaps by the Probation and Parole Officers, such as loss of limb or vision, do not require physical examination. Again in order to qualify for waiver consideration "insufficiency of income criteria" must apply.
4. Legitimate retirement age does not qualify for waiver consideration unless "insufficiency of income criteria" applies. In addition, the offender's age must prevent him/her from obtaining employment. Likewise, the age of unusually young offender (juvenile) may on some circumstances prevent him/her from obtaining employment. However, parents or guardians should be encouraged to pay COS for juveniles.
5. Support of dependents does not qualify for waiver consideration unless the total family income meets "insufficiency of income criteria."

Minimum family income includes \$3,900 base plus \$750 additional allowance per year for each dependent.

Deductions from the offender's income for support payments for dependents not residing with offender are limited to the amount of verified payments.

6. Extenuating circumstances include only those not listed above and should be rarely used. Examples may include: participation in a drug treatment house; incarceration (not for violation) or other programs where the offender is not able to maintain employment because of program requirements.

Tennessee

EXEMPTIONS

At the conclusion of this subsection, the exemptions created in Public Chapter 319 are listed. They correspond numerically with the exemptions listed on the Exemption Application. The eighth exemption on this application is provided for extenuating circumstances which the officer will explain on an attachment which is forwarded with the exemption application. This application is forwarded through channels to the Chairman of the Parole Board who, by return of the form will approve or disapprove the exemption. A client requesting an exemption is obligated to continue to pay the required fees until the exemption is granted. The exemption criteria are as follows:

1. If a client's sole income is from Social Security or welfare benefits.
2. If the client has doctor, hospital or medical expenses exceeding 25% of total gross monthly income and is not covered by insurance, workman's compensation or any other source of reimbursement.
3. If a client has a certificate from a doctor, whose residence is in Tennessee and is licensed to practice in the State of Tennessee, stating that s/he is physically or mentally incapable of working.
4. Any client transferred to or from other states under the supervision of the Interstate Compact for the Supervision of Probationers.
5. If a client has an excessive amount of gross monthly income obligated for court ordered expenses such as alimony, child support, etc.
6. Any person already paying restitution to a victim under a Department of Correction program shall be exempted from the contributions to the Criminal Injuries Compensation Fund, but shall not be exempt from contributions to the Rehabilitation and Supervision Fund required by sub-section (a) of this section.
7. Any person whose income falls below the poverty level according to the latest determination by the United States Bureau of Census.

Tennessee (Cont.)

FARM AND NON-FARM INCOME GUIDELINES

What follows are the income guidelines for farm and non-farm families:

Poverty Income Guideline - Revised (8/1/80)

<u>Family Size</u>	<u>Non-Farm Family</u>	<u>Farm Family</u>
1	3,790	3,250
2	5,010	4,280
3	6,230	5,310
4	7,450	6,340
5	8,670	7,370
6	9,890	8,400
7	11,110	9,430
8	12,330	10,460
9	13,550	11,490
10	14,770	12,520
11	15,990	13,550
12	17,210	14,580

Income limits for families of more than 12 persons are determined by adding \$1,220.00 for each additional member of a non-farm family and \$1,030.00 for each additional member of a farm family.

ITEM 8-2
LEGAL ISSUES IN FEE COLLECTION
(Fees for Supervision, National Institute of Corrections)

Attachment B. Legal Issues of Fees for Correctional
Services: A Survey

Joseph H. Sasfy

January 1980
National Institute of Law Enforcement and Criminal Justice

The courts, in a number of legal decisions regarding the assessment of various courts and supervision fees in specific, have dealt with the issues inherent in this practice. The Michigan Supreme Court¹ held that the assessment of costs must be directly related to the expenses incurred by the people in connection with the apprehension, adjudication, and correctional supervision of the offender. The Court said that these costs are not punishment and should not include expenditures for criminal justice functions that the public must bear regardless of a specific law violation. In a later decision,² the Supreme Court held that items such as the police payroll, rental of space in police headquarters, expense of operating a courtroom, the salary of an assistant prosecutor, and a variety of other expenses tangential to the specific apprehension and prosecution of an offender were not legitimate items for assessing costs.

The only court decision³ which held that a condition of probation specifically involving supervision costs was invalid was issued by the California Appellate Courts in 1974. In this case, a medical doctor was sentenced to probation and ordered to reimburse the county and state in the sum of \$90,000--the estimated costs of prosecution and supervision under probation. The doctor appealed, contending that the \$90,000 in costs were invalid conditions of probation as either "reparation" or "reasonable conditions." Both "reparation" and "other reasonable conditions" are specified by law as within the court's decision to assign as part of probation.

The court held that these costs did not fit the definition of reparation, which involves payments to victims for actual losses incurred via a crime and clearly does not involve the general costs of prosecution or supervision. Regarding the question of whether the \$90,000 in costs was a "reasonable condition," the courts referred to the ABA's Standards Relating to Probation which, as already discussed, specifically recommends against the assessment of supervision costs. The court went on to argue that:

The uncertainty of such costs imposes on each defendant a potentially unlimited penalty for his crime. Conceivably, the spectre of costs may even deter him from exercising his right to a jury trial on the issue of guilt or innocence...Penal Code section 1203.1 explicitly authorizes the imposition of only limited fines as part of probation, which in turn should be oriented towards rehabilitation of the defendant and not toward financing the machinery of the state. Since we view imposition of costs of prosecution and probation as neither reparation nor a reasonable condition of probation under Section 1203.1, the \$90,000 liability as a condition of probation cannot stand.⁴

Unfortunately, because of the large amount of the assessment and the fact that the assessment of prosecution costs was a significant factor in the decision, it is not clear whether the court's decision would have been similar regarding a typical supervision fee assessment of \$10 a month. While even the \$10 fees are, in aggregate, generally directed towards financing, in part at least, the criminal justice "machinery," it can be

simultaneously maintained (as it is in most states assessing fees) that they are also directed toward rehabilitation by promoting fiscal responsibility.

This decision in California was cited by an appellate in Arizona who appealed the validity of the assessment of \$210 for the costs of incarceration as a condition of probation.⁵ In Arizona, the courts have broad discretion in imposing conditions of probation which aid in the rehabilitation process. In this case, the Appellate Court held that the assessment of these costs was reasonable and not an abuse of discretion. The court rejected the argument inherent in the California decision, which is that the assessment of costs faces defendants with potentially unlimited penalties. The court held that these objectives assume that the court has unlimited discretion in imposing conditions. In this case, the judge had assigned reasonable costs related to actual expenses and had determined that the defendant could pay.

As mentioned earlier, the state and federal constitutionality and administration of the assessment of supervision fees were challenged in Alabama in a class action suit.⁶ In this suit, the plaintiffs--who were two months delinquent in fee payment and subject to having probation revoked--alleged that the supervision fee legislation was either void, in violation of the intent of the legislation, or unconstitutional because:

- it authorizes imprisonment for debt;
- it creates penal sanctions incident to the commission of a criminal offense;
- it contains no procedural safeguards to insure that indigent defendants will not be revoked for inability to pay;
- it creates a ground for revocation which bears no relationship to any valid purpose of probation or parole;
- it conditions a probationer's or parolee's ability to maintain his status upon his financial ability;
- it requires payment of the fee by unemployed persons who receive no income or unearned income or by employed persons with insufficient income to pay the fee; and
- it limits the hardship exemption to only those hospitalized, physically incapacitated, or seriously ill.

The court ruled that the law, in content, was constitutional and focused instead on the administration and implementation of the fee system, which was, in fact, the defendant's main area of contention. The result was the establishment of the income guidelines and other criteria discussed in 2.2.

Section 9

Accreditation of Jail Facilities

A 1982 survey by the National Sheriff's Association (Kerle and Ford, 1982) indicated that 16% of local jails had been under court orders because of overcrowding and that 4% were currently under such orders. In addition, 20% of the local jail officials surveyed reported that they were facing pending lawsuits on various legal grounds. This problem is discussed in Section 4 of Volume I in this series.

PERSONAL LIABILITY OF JAIL ADMINISTRATORS (Item 9-1)

The article by Marcia Swain reprinted in this section gives a brief overview of the legal basis for such lawsuits. These actions are often the stimulus that brings jail overcrowding to the attention of the public. When the number of inmates in a jail facility is limited by court order, on the one hand, and increased, on the other, by the growing emphasis on arresting and jailing drunk drivers, a major problem is created for the local sheriff. Responsible officials are open to suit as individuals if negligence on their part or on the part of those under their supervision can be proved. The following publications cover the subject of the legal rights of inmates and the responsibilities of corrections officials:

1. *Legal Responsibility and Authority of Correctional Officers:*

A Handbook on Courts, Judicial Decisions, and Constitutional Requirements, 1982. Available from the American Correctional Association, 4321 Hartwick Road, Suite L208, College Park, Maryland 20740.

2. *Inmates Legal Rights, revised edition, 1983.* Available from the National Sheriff's Association, 1450 Duke Street, Alexandria, Virginia 22314.

ACCREDITATION OF JAIL FACILITIES (Item 9-2)

To assist local corrections officials in improving their correctional operations, and to help communities assure that their detention facilities meet minimum constitutional requirements, the American Correctional Association and the National Sheriff's Association have developed programs for accrediting local jail facilities. The independent Commission on Accreditation for Corrections, established in 1974, is the accrediting body for ACA standards and the only national program of accreditation for all components of adult and juvenile corrections. A brief extract from the pamphlet entitled *Accreditation: Blueprint for Corrections* issued by the Commission (1982) is included in this volume for

those who are interested in having their local facility accredited.

SAMPLE DRAFT OF FACILITY RATING FORM (Item 9-3)

The American Correctional Association is attempting to develop rating formats for use in reviewing detention facilities to determine their conformance with ACA standards. An example of such a rating form currently under development is included in this section. This checklist relates to inmate programs. The final set of rating forms to be developed by ACA will include formats covering all elements of the ACA standards.

The National Sheriff's Association also assists local communities in maintaining professional standards through a jail audit system. This system is funded by the National Institute of Corrections. It is based on a jail audit manual that includes audit forms for reviewing local detention facilities. One method of establishing the need for jail improvement or renovation is to invite such an audit by the NSA to document the limitations of current facilities. Information on this audit system can be obtained by writing to the National Sheriff's Association, 1450 Duke Street, Alexandria, Virginia 22314.

ITEM 9-1
PERSONAL LIABILITY OF JAIL ADMINISTRATORS
(National Institute of Corrections, Jail Center)

Personal Liability of Jail Administrators, Deputies, Etc.

(Marcia Swain 11/77)

STATE LAW

Jail administrators and staff who commit torts (private wrongs committed by one party against another) against jail inmates may be held personally liable in money damages for any harm resulting from their actions. Such an individual commits a tort when he violates a duty prescribed either by statute or common law which he owes to the inmate. His violation may be either intentional, as where a jail deputy administers a beating to an inmate, or negligent, as where a jail deputy, knowing or having reason to know of an inmate's suicidal bent, fails to take reasonable action to prevent the suicide.

Even if a sheriff or jail administrator is not personally involved in the jail employee's tortious conduct, he may still be found liable under a legal theory called respondeat superior. If the jail employee was acting within the scope of his employment and if his tortious act was reasonably foreseeable and thus preventable, such liability will lie. If a deputy has shown a propensity toward abusive behavior in the past, his superiors are on notice and will probably be held liable for his future torts.

The sheriff or jail administrator will generally be immune from liability for official acts within the scope of his authority and in the exercise of his official discretion, such as when he establishes jail rules and regulations. He will lose his official immunity, however, if the harm complained of involves an act in which he was personally involved or one which he knew of and could have prevented.

Jail administrators and staff found personally liable in damages must pay the judgment from personal resources. They can, of course, purchase liability insurance to protect themselves. Although Kansas law requires that legal defense be provided to state employees; no financial indemnification is available.

FEDERAL LAW

The vast majority of inmate lawsuits are brought under the Civil Rights Act of 1871. (Title 42, U.S.C., Section 1983) Of the complaints against Colorado jails investigated, alleged abridgements of federal rights in violation of this statute. These lawsuits are commonly called "1983 actions".

This statute reads as follows:

Civil action for deprivation of rights

Every person who under color of any statute, ordinance, regulation, custom, or usage of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within

the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Who Can Use Section 1983? Any U. S. citizen or person physically within the United States when deprived of his or her rights may sue under Section 1983. According to the U. S. Supreme Court, persons who are incarcerated do not lose their right to bring law suits under the act. Cooper v. Pate, 378 U. S. 546 (1964).

What Injuries Are Covered by Section 1983? The actions for which legal redress is sought must violate an inmate's federally guaranteed civil rights, and the actions must have been done with power of state or local government.

Few federal laws grant rights to prisoners. Usually, therefore, jail inmate complaints based on Section 1983 allege the violation of rights insured by the U. S. Constitution.

Section 1983 covers only actions taken "under color of any statute, ordinance, regulation, custom or usage of any State or Territory. Sheriffs, deputies, jail administrators and county commissioners, officials and employees of county government, which derives its power from the state, are amenable to Section 1983 suits. A private citizen, acting without any connection to the government or its powers, cannot be sued under Section 1983.

Inmates' Rights Under U. S. Constitution For many years after the passage of the Civil Rights Act of 1871, courts espoused the attitude that a prisoner was "a slave of the state" with no rights, Ruffin v. Commonwealth, 62 Va. (21 Gratt) 790, 796 (1871). Although this attitude has yielded to the notion that "a prisoner retains all the rights of an ordinary citizen except those expressly, or by necessary implication, taken from him by law," Coffin v. Reichard, 143 F.2d 443 (6th Cir. 1944), courts recognize that the realities of the penal system will compel retraction or limitation of rights and privileges. The question of inmates' rights thus becomes one of when constitutional rights must yield to the various problems and needs -- custody, security, rehabilitation, discipline, punishment or resource limitations -- in administering a jail or prison system.*

Inmate complaints frequently allege violation of rights guaranteed by the Fourteenth Amendment to the U. S. Constitution:

No State ... shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*The Law of Corrections and Prisoners' Rights, Cases and Materials, Sheldon Krantz, American Casebook Series, West Publishing Company, St. Paul, Minnesota, 1973, p. 325.

Equal protection in a jail setting prohibits jail personnel from discriminating against inmates arbitrarily on the basis of such factors as race, religion, nationality, sex, income or political beliefs. Due process requires jail personnel to follow fair procedures before depriving inmates of basic rights or privileges.

Among these rights are those incorporated in the first ten amendments to the U. S. Constitution, the Bill of Rights. Courts have held that state and local officials who violate rights guaranteed by the Bill of Rights may be in violation of the Due Process Clause of the Fourteenth Amendment.

Thus, the Due Process Clause protects a jail inmate's First Amendment rights of freedom of speech, association and religion, Fourth Amendment right to freedom from unreasonable searches or seizures and Eighth Amendment right to freedom from cruel and unusual punishment.

Courts have recognized a large number of inmates' constitutional rights, major ones of which are listed below. The volume of prisoners' rights litigation continues to be enormous; resulting in even further enlargement of rights. To protect themselves from liability, sheriffs and their staff members should be aware of legal changes and incorporate significant court mandates into daily jail operation.

Under Section 1983 to Recover Damages, Must Show:

1. Must show deprivation of constitutional right under color of state law.
2. The party sued must be a person, not a governmental entity; prison officials have no special immunity.
3. He must have some degree of personal involvement.
 - A) If administrator knew or had reason to know of impending violation.
 - B) If doctrine of respondeat superior applies, then this criterion met; courts divided, however, on whether doctrine applies. (not all circuits)
 - C) If administrator failed to act or instructs jail deputy:

What Kind of Damages for What Kinds Of Losses

1. If physical injury may be awarded compensatory damages for lost wages, lost member or physical function, for pain and suffering.
2. If deprived of rights, nominal damages for mental anguish as well as the deprivation.
3. If willful disregard of rights or gross disregard of rights, punies; some circuits would require showing of pattern of violations.
4. No need to prove motive, intent unless seeking punies.
5. Good faith belief in constitutionality is defense.
6. More than mere negligence.

NICJC: 8-78

THE ACCREDITATION PROCESS

Notwithstanding the type of correctional agency, program or facility involved in accreditation, the process remains constant. The timelines, requirements and outcomes of the process are the same for a state institution, local detention facility, private half-way house, probation and parole field service agency or paroling authority. All agencies, programs and facilities sign a contract, pay accreditation fees, prepare and submit a *Self-Evaluation Report* and have an audit by trained Commission consultants prior to an accreditation decision by the Board of Commissioners. Once accredited, all agencies, programs and facilities submit annual reports to the Commission. Also, at the Commission's expense and discretion, a monitoring visit may be conducted during the three-year accreditation period to ensure continued compliance with the appropriate standards.

Invitation to Participate

Invitations to participate in the accreditation process have been extended to all adult and juvenile agencies for which standards have been developed and published. To date, approximately 455 programs and facilities are involved in the process, including more than 200 that have been accredited. Participating agencies include:

- public and private agencies
- federal, state, territorial and local agencies, including a United States military facility
- United States and Canadian correctional agencies

It is a voluntary decision by correctional administrators to accept the invitation and initiate accreditation activities. When an agency elects to pursue accreditation, the Commission forwards appropriate informational and application materials, including a contract, the applicable standards, a policy and procedure manual and an organization summary sheet.

Eligibility Criteria

To be eligible for accreditation, an agency must be part of a governmental entity or conform to the applicable federal, state and local laws and regulations regarding corporate existence.

ORGANIZATION SUMMARY

Please complete a separate summary for each agency/facility which will be completing a Self-Evaluation Report. Return the completed form(s) with the contract(s) to the Commission on Accreditation for Corrections.

1. Name of Applicant Agency/Facility _____

Address _____
Telephone Number () _____
2. Chief Executive Officer _____
3. Accreditation Manager _____
Position in Agency/Facility _____
Telephone Number () _____
4. The agency/facility is:
☐ Governmental (federal ☐ state ☐ county ☐ municipal ☐
☐ Private (not-for-profit ☐ for profit ☐
5. Date agency established/facility built _____
6. Number of satellite facilities/district offices _____
Location of each _____
7. Stated purpose of agency/facility _____

8. Designed facility capacity _____ Budgeted capacity _____
(residential/institutional facilities only)
9. Current number of offenders under field supervision _____
(field service agencies only)
10. Number of full-time staff by category as appropriate:
_____ Administrative/Support _____ Program
_____ Security _____ Field Agents
11. Average length of stay or time under supervision _____
12. Security level(s) or level(s) of supervision _____
13. Age range of population: _____ Adults
_____ Youthful Offenders
_____ Juveniles
14. Summary description of physical plant for residential/institutional facilities (i.e., number of buildings, type of security perimeter, location relative to or within metropolitan area, etc.) _____

15. Governing authority or parent agency _____
16. Attach a copy of current organizational chart for agency/facility.
17. Attach a copy of authorizing statute or articles of incorporation.
18. This agency/facility is currently under court order or involved in litigation. ☐ Yes ☐ No
If yes, please attach a copy of appropriate documents.
Signature of Individual Completing Summary _____
Title _____
Date _____

ITEM 9-2
ACCREDITATION OF JAIL FACILITIES
(Commission on Accreditation for Corrections)

The agency must (1) hold under confinement pretrial or presentenced adults or juveniles who are being held pending a hearing for unlawful activity; (2) hold under confinement sentenced adult offenders convicted of criminal activity or juveniles adjudicated to confinement; and/or (3) supervise in the community sentenced adult or adjudicated juvenile offenders, including children placed in residential settings. Finally, to participate in accreditation, an agency must have a single administrative officer responsible for agency operations. It is this administrative officer who makes formal application for admission to the accreditation program.

Juvenile training schools or other *secure* juvenile or adult correctional facilities which confine adjudicated delinquents, status offenders and neglected, abused and dependent children are ineligible to participate in the accreditation process. It is the Commission's opinion that nonadjudicated juveniles should be served outside of the juvenile correctional system. While this position is inflexible regarding secure correctional facilities, it is recognized that many juvenile community residential services do intermingle these groups. The Commission does not prohibit the application of standards to community programs which intermingle adjudicated delinquents with noncriminal juveniles in *nonsecure* settings. However, the Commission actively supports and seeks ultimate exclusion of noncriminal juveniles from the entire criminal and juvenile justice system. Residential and institutional programs and facilities which confine adults and juveniles together are also ineligible to participate in accreditation.

Applicant Status

In order to confirm eligibility, determine appropriate costs and schedule accreditation activities, the agency provides the Commission with certain information. The following *Organization Summary* form is provided to the agency for that purpose.

Both the completed *Organization Summary* and the signed contract must be returned to the Commission for an agency to initiate the process. The Commission notifies the agency of its acceptance into the accreditation process within 30 days of receipt of the necessary application materials.

As delineated in the contract, the fees for accreditation and the subsequent accreditation period cover all services normally provided to an agency by Commission staff, consultants and the Board of Commissioners. The cost of supplemental audits, if required, is in addition to the basic fee structure which is designed to provide the financial resources necessary to operate the Commission.

Accreditation fees are currently \$750 per consultant for each day required to audit the agency, program or facility. Experience indicates that, on the average, two consultants for two days are needed to audit a parole authority or a community residential program; three consultants for three days are required to audit a correctional institution, training school or local detention facility. The actual fees are determined during the application period and are included in the contract signed by the agency and the Commission.

The fees for probation, parole and aftercare field service agencies depend on the size, number and location of the field offices. The central office and a stipulated number of field offices are audited, with the fee determined by the number of consultant days required to complete the audit.

Under current Commission policy, 50 percent of the accreditation fee is payable within 30 days after the contract is signed. Another 25 percent of the fee is payable within 30 days after the submission of the agency's *Self-Evaluation Report* (usually within six months after the contract is signed). The remaining 25 percent is payable at the end of the 18-month contract period or prior to the awarding of accreditation, whichever occurs first.

ITEM 9-3
DRAFT OF FACILITY RATING FORM
(American Correctional Association)
INMATE PROGRAMS

Productive programs reduce destructive inmate idleness and provide opportunities for prisoners to make constructive use of their period of incarceration. In this way program availability and diversity adds a positive element to the conditions of confinement at a particular facility.

The evaluations should be based upon personal observations and knowledge; and a review of existing policy and procedure. The check list serves as a guideline for evaluation. The listing is not considered all inclusive but is designed to provide reminders concerning some basic factors which can influence the conditions of confinement.

A. Recreational/Leisure Time

1. Building and Facilities

Check activities available to general inmate population on facility grounds:

- ☐ a. Auditorium
- ☐ b. Recreation yard
- ☐ c. Gymnasium
- ☐ d. Indoor leisure time/Recreation area

Other: _____

2. How many hours per day per inmate are available for prisoners to use in recreation/leisure time activities outside the cell/room.

- a. Weekdays _____ per inmate/per day
- b. Weekends/holidays _____ per inmate/per day

B. Religious

Indicate the programs or facilities available to inmates:

☐ Chapel (used only for religious activities)

☐ Chapel (used for multi-purpose activity)

☐ Religious programs available

- | | | | |
|-----------------|-------|-----------|-------|
| a. Daily | _____ | c. Weekly | _____ |
| b. Twice Weekly | _____ | d. Other: | _____ |

☐ Religious services jointly attended by inmates and inmate visitors

☐ Religious services attended jointly by staff and inmates

(continued)

___ Chaplain services readily available

Indicate all groups for whom formal religious services are available:

___ Catholic ___ Muslim ___ Other: _____
___ Jewish ___ Protestants _____

C. Program Participation

(a) Indicate by X each activity which is available to the general population:

1. academic school	___	9. industrial work	___
2. alcoholism program	___	10. a. library	___
3. drug program	___	b. law library	___
4. group counseling	___	11. maintenance work	___
5. group therapy	___	12. orientation	___
6. hobby craft	___	13. pre/release	___
7. inmate clubs	___	14. religious programs	___
8. individual therapy	___	15. vocational training	___

Other: _____

(b) On the average, how many hours per inmate per day are available for --(a) above-- outside their cells/rooms?

a. weekdays ___ hours per inmate/per day
b. weekends/holidays ___ hours per inmate/per day

D. Work Rules

1. How many general population inmates are:

	<u>Number</u>	<u>% of Population</u>
a. Employed on a job or program assignment for at least 6 hours a day	___	___

(continued)

b. Employed on a job receiving:

no pay

\$10.00 or less per month

from \$10.01 to \$30.00 per month

over \$30.01 per month

2. Can inmates earn some type of sentence reduction for work performed?

Yes _____ No _____

E. Education Programs

Inmates who completed during past year:

	Actual #	% of Enrollments Completed
1. ABE	_____	_____
2. GED	_____	_____
3. Post Secondary	_____	_____
4. Vocational training	_____	_____

Comments: _____

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